



PROCEDURES FOR
ESTABLISHING A
DUAL GATE SYSTEM





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INTRODUCTION

The procedure to follow in establishing a dual gate has been developed to assist member firms, both union and open shop, in effectively providing for a mixed job site with minimal exposure to costly job shutdowns caused by potential labor problems.

The practice of having both union and open shop firms working side-by-side on the same site is widespread throughout the industry. Construction trade unions are able to place economic pressure on project owners and general contractors by picketing non-signatory contractors. Unless a specific legally established procedure is followed, these pickets could cause signatory firms' employees from crossing the picket line, thereby shutting down the job. In many cases, the unions have a legally protected right to picket. Dual gates provide a practical, low-cost method of minimizing the impact of these pickets.

This guide is intended to provide a step-by-step approach to establishing dual gates and should be used in conjunction with assistance from Associated General Contractors of Massachusetts – (781) 235-2680 – and legal counsel. Remember to call AGC for a review of each individual situation – it's one service of your membership.

AGC of Massachusetts wishes to acknowledge the efforts of the California chapter of AGC in developing many of the guidelines for this publication.

DEFINITIONS

Dual Gate, Reserved Gate, Two Gate System is a procedure under the National Labor Relations Act, which isolates a disputing union and employer, thereby allowing other neutral contractors to continue working.

Primary/Reserved Gate is the entrance used by the primary employer (and his material suppliers) who has a dispute with the union. (Herein referred to as Gate "A")

Neutral Gate is the entrance used by employers (and their material suppliers) who do not have a dispute with the union. (Herein referred to as Gate "B")

Gate Contamination is a gate "contaminated" by employees or suppliers entering or exiting through the wrong gate. When dual gates are established, employees and their material suppliers are required to enter and exit through the designated gate.

(1) PRIMARY LABOR DISPUTES WITH GENERAL CONTRACTOR

Field Personnel Procedures to Follow Establishing a Dual Gate System when Picketing Occurs

When picketing occurs on the job site, the following steps should be taken by field personnel to assure that Contractors not directly involved in the dispute can continue working.

A. FIRST DAY OF DISPUTE – PICKETS ARRIVE BEFORE STARTING TIME

1. Question the pickets as to why they are picketing.
2. Inform your company's main office and/or AGC (781/235-2680) of the picketing. You may also want to have the local police notified as a matter of courtesy and as a precaution if traffic safety is a concern. A decision should also be made as to the necessity of owner notification.
3. Document in the job log and note time of all conversations and events with the union representatives with respect to the picketing. Specifically record what is written on the picket sign(s).
4. Take pictures of the picket sign(s). This is optional. It is advisable that – if it is done – it be done in a non-intimidating manner since the NLRB may view this activity as an attempt to intimidate the picketing activity.
5. If the picketing involves a Subcontractor, check with the Subcontractor as to what the dispute is.
6. Select locations for dual gate entrances. (See Exhibit A)
7. Contact the business agents for the neutral union subcontractors working on the project. Indicate that a neutral gate will be established prior to starting time the following morning. State the location of the neutral gate. Remind the business agents for the other union subcontractors not subject to the picketing that their employees have a duty to man the job.
8. Send a fax/email/express mail to Union picketing General Contractor. (See Exhibit B)
9. Send a fax/email/express mail to Subcontractors. (See Exhibit C)
10. Prepare signs for neutral gate (Gate "B") and primary/reserved Picketed gate (Gate "A"). (See Exhibits D and E)

11. Prior to starting time on the second day, the gates (entrances) should be established with clearly marked signs. (See Exhibits D and E)
12. Prior to starting time on the second day, pictures should be taken of the gates and the signs. A diagram of the projects gates should be prepared. This information will be necessary – along with a chronological accounting of picketing activity if it is necessary to appear before the NLRB. The AGC of Massachusetts will assist you if a hearing with the NLRB is warranted.
13. A company representative or security guard should be selected to monitor the gates to insure that the gates do not become “contaminated.”

EXHIBIT A

Develop a **site map** of the area to indicate where the gates will be established. Ideally, the gates should be as far away from one another in order to prevent confusion with employees entering and exiting the job site. 100 feet or more is preferable.

Be sure that all employees, subcontractors and material suppliers are notified in writing. If work is being performed in an occupied building, prior notification of possible picketing activity is advisable.

It is suggested that you **walk the site** with your project management team to determine the best access for all. It is also strongly suggested that all gates be established on the outermost perimeter of the jobsite so that any picketing activity is relegated to public property and not to the property of the owner.

Consider how employees and suppliers need to enter the jobsite before you establish gate locations. When notices are sent to employees, subcontractors, business agents and suppliers, be sure that they have **clear directions** – complete with street names, location and direction (ex., in front of . . ., east of . . ., west of . . .).

Gates can be established and signs can be posted and notifications can be sent once there is evidence of picketing activity or clear indications of future activity. An example of a clear indication of activity may be a statement from a business agent that “ The site will be picketed tomorrow.” Based on this information, the Contractor can prepare his signs and send out notifications.

If the contractor anticipates picketing activity, he is advised to **predetermine gate locations**, any fencing to be required, and to fabricate signs (ideally 2'x4' or 3'x5') with large letters that indicate GATE A and GATE B so that the signs can be clearly seen from a distance. The signs should be secured to the gate entrance and be unobstructed from view. You can establish more than one GATE A or GATE B if needed. All entrances must be designated GATE A or GATE B or closed.

If picketing is anticipated, but there is no evidence of pending activity, gates may be established and GATE A and GATE B signs can be erected with no name until there is evidence of activity or pending activity against a specific contractor or subcontractor.

Each situation often has its own set of procedures. You are advised to call AGC of Massachusetts whenever it is suspected that any picketing activity is to occur.

EXHIBIT B

NOTICE TO UNION PICKETING GENERAL CONTRACTOR

Picketing Union
Address

Date

RE: (Project)

Gentlemen:

A dual gate entrance system has been established at our project referenced above which is located at (job location).

Gate "A", located (describe physical locations), is for the exclusive use of the employees, agents and material suppliers of (General Contractor) only.

Gate "B", located (describe physical locations), is for the exclusive use of the employees, agents, subcontractors and material suppliers of (list neutral subcontractors) only.

Any picket activity against (General Contractor) must be confined to Gate "A".

Failure on your part to limit your picketing to that entrance will cause (General Contractor) to file NLRB charges and sue for damages.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts, Inc. (optional)

Note: It is strongly suggested that you send such notes to the union via fax/email, courier and/or registered mail – return receipt. A preferred method is (1) fax/email for earliest notification and (2) followed by courier (ex. FedEx, UPS, etc.) for a signed verification of receipt.

EXHIBIT C

NOTICE TO SUBCONTRACTOR

Subcontractor
Address

Date

RE: (Project)

Gentlemen:

A dual gate entrance system has been established at our project referenced above which is located at (job location).

Gate "A", located (describe physical locations), is for the exclusive use of the employees, agents and material suppliers of (Picketed General Contractor and picketed Subcontractors) only.

Gate "B", located (describe physical locations), is for the exclusive use of the employees, agents, subcontractors and material suppliers of (neutral subcontractor) only.

We expect you to man the job and perform the work in accordance with your subcontract agreement.

You and your material suppliers are to confine your access to the subject project work area through (appropriate gate).

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts, Inc. – (optional)

EXHIBIT D

Sample sign at primary/reserved or picketed gate

GATE A

This Gate is reserved for the employees, suppliers and visitors of

(NAME OF PICKETED CONTRACTOR)

All other persons having business on the site should use Gate B, located _____.

IT IS SUGGESTED THAT THESE SIGNS BE LARGE ENOUGH – AT LEAST 2'X4' – WITH 4-5" LETTERING – SO THAT WORKERS CAN READ THE MESSAGE FROM 20'-30' AWAY. THE WORDS "GATE A" SHOULD BE IN LARGER LETTERS – AT LEAST 1 FOOT HIGH – SO THAT DRIVERS CAN SEE THE GATE DESIGNATION FROM A GREATER DISTANCE.

SIGNS SHOULD BE SECURED TO THE GATE AND BE FREE OF ANY OBSTRUCTIONS – INCLUDING ANY VEHICLES THAT MAY HAVE A TENDENCY TO BE PARKED IN FRONT OF IT.

IT IS ALSO ADVISABLE TO INDICATE THE GATE LETTERING FOR EMPLOYEES AND SUPPLIERS AS THEY EXIT THE SITE AS WELL IN ORDER TO LESSEN THE POSSIBILITY OF GATE CONTAMINATION.

EXHIBIT E

Sample Sign at Neutral Gate

GATE B

This Gate is reserved for all persons having business on this site except the employees, suppliers and visitors of

(NAME OF PICKETED CONTRACTOR)

All employees, suppliers and visitors of the above-named contractor must use Gate A, and only Gate A, located _____ when entering or leaving this project.

B. FIRST DAY OF DISPUTE – PICKETS ARRIVE AFTER STARTING TIME

If the dual gates have not been established, proceed as in Section A. If they have been established, proceed as follows:

1. Question the pickets as to why they are picketing.
2. Inform your company's main office and/or AGC (781/235-2680) of the picketing. It is advisable that, if you have access to a labor attorney, that the attorney be notified of the activity as well.
3. Document in the job log and note time of all conversations and events with the union representative with respect to the picketing. Specifically record what is written on the picket sign. Take pictures of picket signs.
4. If the men request to call the Union, one of the men should be permitted to call the Union.
5. If the business agent arrives on the job, he should be allowed a reasonable opportunity to talk to the men.
6. A supervisor has a right to be present during discussion between business agent and the men. Log the discussion between business agent and the men, including time of occurrence.

In the event some or all of the men refuse to continue work, the superintendent should instruct subcontractor to:

1. State to employees, “_____ Company has no dispute with the (picketing Union). You have every legal right to work on this project. Work is available and you are ordered to continue working. If you walk off this job, you have adopted the (picketing Union's) strike as your own and the _____ Company has the right to replace you.” Present a copy of this statement to the employees. (See Exhibit F)
2. Fill out a form noting those employees who heard and received the statement and refused to go to work. (See Exhibit G)
3. Call the hiring hall and request that employees be dispatched from the hiring hall as replacements. (See hiring provision in Collective Bargaining Agreement, if applicable.)
4. Contact AGC (781/235-2680) to file a grievance against the Union for an illegal work stoppage. AGC will contact the Union on the company's behalf.

5. Mail checks, for all time worked, within seventy-two (72) hours to those employees who have refused to work.
6. Employees from other jobs within the geographical jurisdiction of the Local Union may be transferred (if applicable).
7. Should the Union fail to man the project within forty-eight (48) hours, the employer is free to hire off the street. Notify Union of name and Social Security Number of employees hired. Replacement employees are subject to Union security after seven (7) days.

All actions and conversations pertaining to the work stoppage should be carefully documented.

EXHIBIT F

Subcontractor Company Letterhead

(DATE)

_____ Company has no dispute with (Picketing Union). You have every legal right to work on this project. Work is available and you are ordered to continue working. If you walk off this job, you have adopted the (picketing Union's) strike as your own and the company has the right to replace you.

EXHIBIT G

Subcontractor Company Letterhead

(Date)

RE: Statement of _____
_____ (Subcontractor Superintendent)

Gentlemen:

I am the superintendent for _____
(Company) on the project located at (street address, city, state).

On the _____ day of _____ 20_____, pickets from (picketing Union) appeared at the above referenced job site. I stated to our company employees that “_____ Company has no dispute with (picketing Union). You have every legal right to work on this project. Work is available and you are ordered to continue working. If you walk off this job you have adopted the (picketing Union’s) strike as your own and the company has the right to replace you.

A copy of this statement (attached Exhibit F) was given to the following employees:

NAME

Superintendent’s Signature

C. SECOND DAY OF DISPUTE – PICKETING LAWFULLY RESTRICTED TO PRIMARY GATE – NO PICKETS AT NEUTRAL GATE

If the subcontractor's employees are reluctant to go to work through the neutral gate, even though there are no pickets at the gate, the superintendent should:

1. Gather the employees and the Union Representative, if present, in front of the neutral gate.
2. State to the employees, “ _____ Company has no dispute with the (picketing Union). This is a neutral gate without pickets. Work is available. You are ordered to go to work. If you refuse to go to work, you are adopting the (picketing Union's) strike as your own and _____ Company has the right to replace you.”
3. State to the business agent, “Your Union has a duty to man the job.”
4. Log the business agent's statement to the employees, noting the time.

In the event the men refuse to go to work, the superintendent should instruct subcontractor to:

1. Present a copy of his statement to the employees. (See Exhibit H)
2. Fill out a form noting those employees who heard and received the statement and refused to go to work. (See Exhibit I)
3. Call the hiring hall and request that employees be dispatched from the hiring hall as replacements. (See hiring provisions in Collective Bargaining Agreements for union subcontractor.)
4. Contact AGC to file a grievance against the Union for an illegal work stoppage. AGC will contact the Union on the company's behalf.
5. Mail checks, for all time worked, within seventy-two (72) hours to those employees who have refused to go to work.
6. Employees from other jobs within the geographical jurisdiction of the Local Union may be transferred (for union subcontractor).
7. Should the Union fail to man the project within forty-eight (48) hours, the employer is free to hire off the street. Notify the Union of the name and Social Security Number of employees hired. (Refer to Collective Bargaining Agreement.) Replacement employees are subject to Union security after seven (7) days (for union subcontractors).

All actions and conversations pertaining to the work stoppage should be carefully documented.

EXHIBIT H

Subcontractor Company Letterhead

(DATE)

_____ Company has no dispute with the (picketing Union). This is a neutral gate without pickets. Work is available. You are ordered to go to work. If you refuse to go to work, you are adopting the (picketing Union's) strike as your own and _____
Company has the right to replace you.

EXHIBIT I

Subcontractor Company Letterhead

(Date)

RE: Statement of _____
_____ (Subcontractor Superintendent)

Gentlemen:

I am the superintendent for _____
(Company) on the project located at (street address, city, state).

On the _____ day of _____ 20_____, pickets from (picketing Union) appeared at the above referenced job site. I stated to our company employees that “_____ Company has no dispute with (picketing Union). This is a neutral gate without pickets. Work is available. You are ordered to go to work. If you refuse to go to work, you are adopting the (picketing Union’s) strike as your own and the _____ Company has the right to replace you.”

A copy of this statement (attached Exhibit H) was given to the following employees:

NAME

Subcontractor’s Signature

D. SECOND DAY OF DISPUTE – PICKETING AT THE NEUTRAL GATE

If the neutral gate is being picketed on the second day, the following steps should be taken:

1. Determine why the Union is picketing the neutral gate.
2. Document conversations and take pictures of the pickets in front of the neutral gate.
3. Contact your main office and/or AGC (781/235-2680).
4. If the picketing is illegal, inform the picket in charge that he is illegally picketing in front of the neutral gate, and that his picketing should be restricted to the primary gate.
5. Contact the picketing Union by phone to remove pickets and follow with Fax/Emails or faxes. (See Exhibit J)
6. Gather your employees and the Union Representative, if present, outside of the neutral gate.
7. State to the employees, “ _____ Company has no dispute with the (picketing Union). This is a neutral gate. This is not a lawful picket. Work is available. You are ordered to go to work. If you refuse to go to work, you are adopting the strike as your own, and the company has the right to replace you.”
8. State to the business agent, “Your Union has a duty to man the job.”
9. Log the business agent’s statements to the employees, noting the time.

In the event the men refuse to go to work, the superintendent should instruct the subcontractor to:

1. Present a copy of his statement to the employees. (See Exhibit K)
2. Fill out a form noting those employees who heard and received the statement and refused to go to work. (See Exhibit L)
3. Call the hiring hall and request that employees be dispatched from the hiring hall as replacements. (See hiring provisions in Collective Bargaining Agreement for Union subcontractors.)

4. Coordinate with AGC in terms of filing unfair labor practice charges with the NLRB (i.e., 8(b) 4(B) - Secondary Boycott Provision).
5. Coordinate with AGC in terms of filing an illegal work stoppage grievance.
6. Mail checks, for all time worked, within seventy-two (72) hours to those employees who have refused to go to work.
7. Employees from other jobs within the geographical jurisdiction of the local Union may be transferred (for union subcontractor).
8. Should the Union fail to man the project within forty-eight (48) hours, the employer is free to hire off the street. Notify Union of name and Social Security Number of employees hired. (Refer to Collective Bargaining Agreement, if applicable.) Replacement employees are subject to Union security after seven (7) days (for union subcontractor).

All actions and conversations pertaining to the work stoppage should be carefully documented.

EXHIBIT J

Use only if union illegally pickets neutral gate

Notice To Union Picketing Contractor

(Date)

Picketing Union
Address

RE: (Project)

Gentlemen:

A dual gate entrance system has been established at our project referenced above which is located at (job location).

Gate "A", located (describe physical location), is for the exclusive use of the employees, agents and material suppliers of (picketed General Contractor and picketed Subcontractors) only.

Gate "B", located (describe physical location), is for the exclusive use of the employees, agents and material suppliers of (neutral subcontractors) only.

Your Union is illegally picketing Gate "B" (neutral gate). Any picket activity against (picketed Contractor) must be confined to Gate "A". We demand that the pickets be removed immediately.

Failure on your part to limit your picketing to Gate "A" (primary gate) will cause (General Contractor) to file NLRB charges and sue for damages.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts, Inc. (optional)

EXHIBIT K

Subcontractor Company Letterhead

(DATE)

Gentlemen:

_____ Company has no dispute with the (picketing Union). This is a neutral gate. This is not a lawful picket. Work is available. You are ordered to go to work. If you refuse to go to work, you are adopting the (picketing Union's) strike as your own and the Company has the right to replace you.

EXHIBIT L

Subcontractor Company Letterhead

(Date)

RE: Statement of _____
_____ (Subcontractor)

Gentlemen:

I am the superintendent for _____
(Company) on the project located at (street address, city, state).

On the _____ day of _____ 20_____, pickets from (picketing Union) appeared at the above referenced job site. I stated to our company employees that “_____ Company has no dispute with (picketing Union). This is a neutral gate. This is not a lawful picket. Work is available. You are ordered to go to work. If you refuse to go to work, you are adopting the (picketing Union’s) strike as your own and the Company has the right to replace you.

A copy of this statement (attached Exhibit K) was given to the following employees:

NAME

Subcontractor’s Signature

E. CONTAMINATION OF GATES

1. Company should assign a monitor who is responsible for maintaining the integrity of the gates.
2. Primary Employer (company that has the dispute) should be responsible for monitoring the primary gate.
3. Gate can be “contaminated” by employees entering or exiting the wrong gate.
4. Should a gate become “contaminated,” the general contractor must do the following:
 5. Contact the Union and find out what caused the “contamination.”
 6. Correct “contamination” problems.
 7. Re-establish dual gate system by sending faxes/emails to respective parties.
(See Exhibits M and O)

EXHIBIT M

Notice to Union Picketing General Contractor

(Date)

Picketing Union
Address

RE: (Project)

Gentlemen:

Effective at the starting time on _____ day of _____, 20, a dual gate entrance system has been re-established at our project referenced above which is located at (job location).

Gate "A", located (describe physical location), is for the exclusive use of the employees, agents and material suppliers of (General Contractor and picketed Subcontractor) only.

Gate "B", located (describe physical location), is for the exclusive use of the employees, agents and material suppliers of (neutral Subcontractors) only.

Any picket activity against (picketed contractor) must be confined to Gate "A".

Failure on your part to limit your picketing to the entrance will cause (General Contractor) to file NLRB charges or sue for damages.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)

EXHIBIT O

Notice to Subcontractors

(Date)

Subcontractors
Address

RE: (Project)

Gentlemen:

Effective at the starting time on _____ day of _____, 20, a dual gate entrance system has been re-established at our project referenced above which is located at (job location).

Gate "A", located (describe physical location), is for the exclusive use of the employees, agents and material suppliers of (General Contractor and picketed Subcontractor) only.

Gate "B", located (describe physical location), is for the exclusive use of the employees, agents, subcontractors and material suppliers of (neutral Subcontractors) only.

We expect you to man the job and perform the work in accordance with our subcontract agreement.

You and your material suppliers are to confine your access to the subject project work area through the (appropriate gate).

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)

(2) PRIMARY LABOR DISPUTE WITH SUBCONTRACTOR OR MATERIAL SUPPLIER

When picketing occurs on the job site, the following steps should be taken by field personnel to assure that the Contractors not directly involved in the dispute can continue working.

A. FIRST DAY OF DISPUTE – PICKETS ARRIVE BEFORE STARTING TIME

1. Question the picket as to why they are picketing
2. Inform your company's main office and/or AGC (781/235-2680) of the picketing.
3. Document in the job log and note time of all conversations and events with the union representatives with respect to the picketing. Specifically record what is written on the picket sign.
4. Take pictures of the picket sign.
5. Check with the Subcontractor as to what the dispute is.
6. Select locations for dual gate entrances. (See Exhibit A)
7. Contact the Unions which are responsible for manning the project. Indicate that a neutral gate will be established prior to starting time the following morning. State the location of the neutral gate. Further, request that the business agent appear at the job at starting time the following morning. State to the business agent that, "Your Union has a duty to man the job."
8. Send fax/email to Union picketing Subcontractor. (See Exhibit P)
9. Send fax/email to neutral Subcontractors. (See Exhibit C)
10. Send fax/email to picketed Subcontractor. (See Exhibit Q)
11. Prepare signs for neutral gate (Gate "B") and primary/reserved (picketed) gate (Gate "A"). (See Exhibits D and E)
12. Prior to the starting time on the second day, the gates (entrances) should be established with clearly marked signs.
13. Prior to starting time on the second day, pictures should be taken of the gates and the signs. A diagram of the project gates should be prepared.
14. A company representative or security guard should be selected to monitor the gates to insure that the gates do not become "contaminated."

EXHIBIT P

Notice to Union Picketing Subcontractor

(Date)

Picketing Union
Address

RE: (Project)

Gentlemen:

Effective at the starting time on _____ day of _____, 20, a dual gate entrance system has been established at our project referenced above which is located at (job location).

Gate "A", located (describe physical location), is for the exclusive use of the employees, agents and material suppliers of (General Contractor and picketed Subcontractor) only.

Gate "B", located (describe physical location), is for the exclusive use of the employees, agents, subcontractors and material suppliers of (neutral Subcontractors) only.

Any picket activity against (picketed Subcontractor) must be confined to Gate "A".

Failure on your part to limit your picketing to the entrance will cause (General Contractor) to file NLRB charges or sue for damages.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)

EXHIBIT Q

Notice to Picketed Subcontractors

(Date)

Picketed Subcontractors
Address

RE: (Project)

Gentlemen:

A dual gate entrance system has been established at our project referenced above which is located at (job location).

Gate "A", located (physically describe location), is for the exclusive use of (picketed Contractor), their employees, agents and material suppliers.

Gate "B", located (physically describe location), is for the exclusive use of (neutral contractors) their employees, agents, subcontractors and material suppliers only.

We expect you to man the job and perform the work in accordance with your subcontract agreement.

You are to confine your access to the subject project work area through Gate ("_____").

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)

(3) RESERVE TIME

On occasion it may be more convenient to establish a Reserve Time for the picketed subcontractor. This may be done in such a manner that the picketed subcontractor is working during some hours or days (Saturday and Sunday) when none of the neutral subcontractors are performing work on the job site. For instance, the picketed subcontractor may work on Saturday and Sunday or may work after 6:00 p.m. provided none of the neutral subcontractors are performing work or are receiving materials during the time the picketed subcontractor is on the job site.

1. Determine the appropriate Reserve Time.
2. Inform the picketed subcontractor that he is to perform work and that his suppliers are to deliver materials only during that Reserve time. (See Exhibit R)
3. Inform the picketing Union of the Reserve time. (See Exhibit S)
4. Inform all other neutral contractors of the Reserve Time. (See Exhibit T)
5. Inform the Unions with whom you are signatory of the Reserve Time. (See Exhibit U, if applicable)

EXHIBIT R

Notice to Picketed Subcontractor

(DATE)

Picketed Subcontractor
Address

RE: (Project)

Gentlemen:

A Reserve time has been established at our project for the performance of work covered by our subcontract with your company. The Reserve Time is (Saturday, Sunday, 6:00 p.m. or whatever is appropriate). You are directed to confine your work on the project to these hours.

Further, you are to direct your employees and material suppliers to observe these Reserve Time hours.

We expect you to man the job and perform the work in accordance with your subcontract agreement.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)

EXHIBIT S

Notice to Union Picketing Subcontractor

(DATE)

Picketing Union Subcontractor
Address

RE: (Project)

Gentlemen:

A Reserve Time has been established at our project for the exclusive use of (picketed Subcontractor), their employees and suppliers.

The Reserve Time is (Saturday, Sunday, 6:00 p.m. or whatever is appropriate). You are directed to confine your activity on the project to these hours.

Any picket activity against (picketing subcontractor) must be confined to Gate A. Failure on your part to limit your picketing to that entrance will cause (general contractor) to file NLRB charges or sue for damages.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)

EXHIBIT T

Notice to Union Subcontractor

(DATE)

Union Subcontractor
Address

RE: (Project)

Gentlemen:

A Reserve Time has been established at our project for the exclusive use of (picketed Subcontractor), their employees and suppliers.

The Reserve Time is (Saturday, Sunday, 6:00 p.m. or whatever is appropriate). You are directed to confine your work on the project to hours other than those "reserved" to (picketed Subcontractor).

Further, you are to direct to inform your employees and material suppliers of this Reserve Time.

We expect you to man the job and perform the work in accordance with your subcontract agreement.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)

EXHIBIT U

Notice to Unions of General Contractor

(DATE)

Union
Address

RE: (Projects)

Gentlemen:

A Reserve Time has been established at our project referenced above, which is located at (job location) for the exclusive use of (picketed Subcontractor), their employees and material suppliers.

The Reserve Time is (Saturday, Sunday, 6:00 p.m. or whatever is appropriate), all other contractors, their employees and material suppliers will confine their access to and work on the project to hours other than those referenced above.

(General Contractor) expects your organization to man the project in accordance with the labor agreement. We expect a representative of your organization to be at the job site prior to starting time tomorrow morning to assist our company in manning the project. Failure to man the project will cause (General Contractor) to file NLRB charges or sue for damages.

Very truly yours,

(General Contractor)

Copy to AGC of Massachusetts (optional)