



## Twin Cities Roofing Contractors Association, Inc.

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Date: August 18, 2021

TO: **TCRCA MEMBERS & CONTRIBUTORS**

FROM: John Quarnstrom and Blake Parsons

RE: Campaign by Carpenters Union

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The Carpenters Union has a national campaign underway to organize more contractors and sign more members. Unfortunately, part of their strategy includes signing up contractors that are already signed with the Roofers Union and converting union roofers to union carpenters.

Earlier this month we heard multiple reports of Carpenters Union Representatives visiting roofing job sites. This occurred in the Twin Cities as well as other cities around the country. The Carpenters approached Local 96 members on job sites and encouraged them to convert membership to the Carpenters Union and asked them to sign up for a drawing. It is believed the entry slips for the drawing were a method to collect contact information on the union roofers. We also understand there was at least one job site where the Carpenters approached union sheet metal workers on the roof. Attached is a letter Roofers Union Local 96 sent to their membership.

The International Roofing Expo was held last week in Las Vegas. The Carpenters Union had 6+ representatives in a very large booth at the show. This was the first time the Carpenters had a booth at this show.

Some contractors signed with the Roofers Union may be interested in talking to the Carpenters Union if they can provide qualified labor. While both unions claim roofing work, there are significant legal risks assigning roofing work to carpenters when you have traditionally assigned that work to union roofers. For example, if you begin assigning work to carpenters and Local 96 alleges your company's past practice is to assign their members that work, you may be forced to pay wages and fringe benefits to both unions for the same hour of labor. Similarly, if you are already signed to contracts with both the Roofers Union and the Carpenters Union, any changes in assignment that are different from past practice could result in the same claim.

Below are some recommendations for your consideration:

1. **Limit Access.** If you control the job site, you should discuss with your foreman the importance of limiting the number of people on the roof. Only people with a need to be on the roof should be

present. There are plenty of safety concerns and productivity reasons to keep others off of the roof and job site. If you don't have control of the job site, you should talk to the GC or Construction Manager about the importance of keeping extra people off of the roof and out of the way. Safety and productivity are the motivating reasons for limiting access.

2. Carpenter Union Access. Union Representatives may have a right to access a job site if a signatory contractor is working on the job site. If there is reason to believe work covered by the Carpenters Agreement is being performed and a contractor signed to a Carpenters Agreement has been assigned the work, this circumstance may be a legitimate reason for investigation by the Carpenters Union Representative. Regardless of the reason for being on the job site, safety is a priority. For safety reasons, you may want the foreman to escort the Union Representative wherever he needs to go. You may also want to seek the support of the GC to limit activity for safety reasons.
3. Educate your Foreman. (1) It is an unfair labor practice for an employer to encourage or discourage union membership. If there are recruitment efforts that involve encouragement to drop membership in the Roofers Union, you and your company representative (foreman) need to avoid any involvement in that conversation. (2) Action/attempts to get someone to violate the terms of a legally binding contract can be the basis for a civil claim. An example could be a Carpenters Representative putting pressure on someone to assign roofing work to carpenters or to stop using roofers and replace with carpenters. Ask your foreman to let you know if any of this activity is occurring.
4. Tell your employees if they are intimidated, harassed or observe unsafe working conditions they should immediately let their foreman know about the situation.
5. Do not engage in conversation with Carpenters Union Representatives if you are not interested in signing a Carpenter Labor Agreement. If the Union wants to have a meeting or discussion, you can simply state that you are not interested and end the conversation. There is no requirement to do more. If they want to show you representation cards claiming employees that want to become union carpenters, do not look at the cards.

If you have additional questions or activity on your jobs that you want to share with us, please feel free to call us at your convenience.

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