

# **M&R Upskill/Reskill Obligations, Requirements and Working Rules**

## **I. Application Process:**

1. Must be a registered or limited registered longshore worker with the International Longshore and Warehouse Union (ILWU).
2. Must be in good standing (PCLCD Section 19); applicants must be current on all dues, fines, and assessments.
3. Must apply via the annual ILWU Local 13 sign-up process.
4. Must submit to and pass a drug and alcohol screening test.
5. Must participate and complete an assessment test administered by the Program Administrator.
6. Must participate and complete any other proficiency exam that the Program Administrator deems necessary at its sole discretion.
7. Applications must be approved by the Committee to be selected for the training program.

### *Limited Registered Class "B" Longshore Workers:*

1. To be eligible for the M&R Reskill Training Program, limited registered "Class 'B' Longshore workers" must be registered for 2.5 years at the date of sign-up.
2. The JPLRC shall meet quarterly to review the needs of the industry, and if more trainees are necessary, it may reduce the registration requirement for limited registered "Class 'B' Longshore workers."

## **II. Obligations:**

### **A. Prerequisite Assessments:**

1. Pass the drug and alcohol screening test, as stated above.
  - a. Passing the drug and alcohol screening test is required.
2. Complete the assessment test and any other aptitude test required by the Program Administrator.

### **B. Requirements of Trainees:**

1. Attend and participate in each class/section/course.
2. Required to complete the entire course successfully.
  - a. Must successfully complete each class/section/course to be eligible to advance to the next class/section/course.

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- b. This will include acquiring and displaying satisfactory technical skills/knowledge and acceptable attendance/punctuality for each individual class/section/course.
  - c. Program Administrator has the sole and exclusive discretion in deciding whether a trainee successfully passes any individual class/section/course and the Mechanical Training Program as a whole.
3. Shall follow the individual class/section/course schedule provided by the Program Administrator
- a. Class sessions, labs, or any other training program obligations will not be scheduled on a night shift, hoot shift, weekend shift, or observed holiday. All class sessions, labs, or any other training program obligations will be scheduled during day shift hours only.
4. Shall be required to train until the entire training program has been successfully completed.
- a. Trainees are ineligible for transfer or promotion. Trainees shall not work or double back on the days they are in training.
  - b. Any absence from the training program must be approved by the JPLRC.
5. Shall abide by the Working Rules and Discipline, as outlined by this Agreement.
6. All trainees are ineligible to attend any other ILWU/PMA Skilled Training Program while enrolled in the M&R Training Program

**C. Requirements of Graduates:**

1. Longshore workers who have completed five (5) years of full registration as a "Class 'A' longshore worker" and have completed the M&R Reskill Training Program, shall be obligated to check in on the Mechanic Board and accept mechanic work when it's available to them for a period of six (6) years.
2. Longshore workers that have not completed five (5) years of full registration as a "Class 'A' longshore worker" and have completed the M&R Reskill Training Program, shall be obligated to accept mechanic work when it's available to them for a period of six (6) years. Once the longshore worker completes their five (5) years of full Class "A" registration, they shall check-in on the Mechanic Board to fulfill the remainder of the six (6) year obligation.
3. Eligible limited registered "Class 'B' Longshore workers" that complete the M&R Reskill Training Program shall be obligated to accept mechanic work when it's available to them for a period of six (6) years.
4. After beginning the Upskill Training Program, Herman/Flynn mechanics shall have their mechanic employment requirement extended for an additional three (3) years. This will be a one-time added obligation of three (3) years.
5. Each student shall be required to complete the training program successfully, as determined by the Program Administrator (see above), within the allotted time.

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6. Upon completion of the Reskill Training Program, each student will be a qualified journeyman mechanic.
7. Upon acceptance and through the entirety of the training program, all participants will be subject to the mechanic working rules, jurisdiction, and discipline as outlined in the currently negotiated LA/LB MPS and the working rules and discipline as outline in this Agreement in the section titled "Working Rules and Discipline". In the event there is a conflict between the MPS and this Agreement, this Agreement shall control.
8. After successfully completing the training program and throughout the (six or three year) mechanic obligation, all participants will be subject to the currently negotiated LA/LB MPS in its entirety and will no longer be subject to this Agreement.  
Successful completion of the program does not guarantee any graduates mechanic work, nor does it guarantee steady employment as a mechanic.

**D. Failure to Meet Obligations:**

1. Class "A" longshore workers who fail to complete the Reskill Program are ineligible for promotion, transfer, or training on skilled equipment for a period of six (6) years.
2. Class "B" longshore workers who fail to complete the Reskill Program are ineligible for promotion or transfer for a period of six (6) years after he or she is elevated to Class "A" longshore status. Class "B" longshore workers will be ineligible for training on skilled equipment for a period of six (6) years after failing to complete Reskill Training. The JPLRC may permit Class "B" longshore workers who have failed Reskill Training to take FL/HL training based on the needs of the industry.
  - a. The JPLRC may exercise its discretion as necessary to amend the penalties listed above.
3. For graduates of the Reskill Program, failure to take mechanics work when available, including application for and acceptance of steady jobs when offered, will result in removal from the qualified mechanic list and ineligibility for promotion, transfer, or skilled equipment training for six (6) years from the date of JPLRC determination.
4. Failure to abide by the working rules, training rules, disciplinary process, or conduct yourself appropriately (See outlined areas below) shall result in removal from the qualified list and ineligibility for promotion, transfer, or skilled equipment training for six (6) years.

**E. Attendance:**

1. Required attendance for each class at each level.
2. Prompt attendance is required.
3. Tardiness:
  - a. One tardy of less than ten minutes will receive a warning.
  - b. A tardiness of more than ten minutes will be treated as an absence.
  - c. Each additional tardy will be weighted for the appropriate discipline.
  - d. Habitual tardiness will not be tolerated and may result in removal from the training program.
4. Absenteeism:
  - a. Unexcused absences will not be tolerated.

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- i. One unexcused absence will receive a warning.
  - ii. Each additional unexcused absence will be weighted for the appropriate discipline.
5. Excessive absenteeism will not be tolerated.
- a. Habitual absenteeism in a single class/section/course (or set time frame) is considered excessive and shall result in immediate removal from the training program.
6. Make-up Time.
- a. Make-up of missed assignments, or late homework, must be approved by the Program Administrator.

**F. Rate of Pay:**

1. Longshore mechanics attending the Upskill Training Program will receive eight (8) hours straight time, and two (2) hours overtime at the Journeyman Mechanic rate of pay.
2. Longshore workers attending the Reskill Training Program will receive eight (8) hours straight time at the basic rate of pay.

**G. Safety:**

1. Each student will be required to attend a Mechanic Safety Training Program administered by the Program Administrator as part of each training class/section/course.

**H. Training Program**

1. The training program may consist of equal amounts of time spent on classroom education and practical laboratory application, which will not extend beyond the agreed course curriculum.

**I. Working Rules and Discipline:**

Each student shall comply with all training rules, safety rules, training policies & procedures. The Program Administrator shall have full authority to discipline trainees enrolled in the training program, as deemed necessary by the Program Administrator at the Program Administrator's sole discretion.

1. Harassment of any kind will not be tolerated. Any claims of harassment shall be reported immediately to an instructor or program administrator. Individuals found guilty of harassment shall be subject to penalties outlined in the PCLCD.
2. Unnecessary, deliberate, or careless abuse or destruction of training program property, records, or information of any kind, or the property of other participants in the training program, in any manner, is prohibited.
3. Abusive, threatening, offensive language, fighting, or bodily assault, or threat of bodily harm to any trainee, instructor, or manager, at any time, is prohibited.
4. Excessive absenteeism and/or repeat tardiness are unacceptable and will not be tolerated.

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5. In all cases of absence or tardiness, the trainee must call the Program Administrator as soon as possible before the class or training period begins.
6. A trainee that is absent due to illness or personal disability may require a doctor's note prior to being allowed to return to the training program.
7. Trainees shall wear appropriate work clothing and be ready for training at the beginning of their scheduled training periods.
8. Deliberate waste of time or loitering during training hours is prohibited.
9. Refusal to follow instructions of any instructors or Program Administrator is prohibited.
10. Release times shall be dictated by the instructors.
11. The use of personal electronic devices, including cell phones, is prohibited during training.
12. Falsification of any training records, tests, documentation, etc., is prohibited.
13. Pilferage is prohibited.
14. Smoking is prohibited in all areas, except for designated smoking areas.
15. All safety rules will be observed; including, but not limited to, the following:
  - a. All accidents and injuries are to be reported immediately to your instructor or Program Administrator.
  - b. When operating a motorized vehicle within the confines of the training facility, all posted speed limits shall be observed.
  - c. When operating any motorized vehicle, all rules and safety regulations shall be observed.
  - d. Maintain a clean and debris free work area.
  - e. Creating or contributing to unsanitary conditions, disregarding shop safety rules or common safety practices is prohibited.
  - f. All toolbox safety meetings will be attended, unless the absence is authorized by the Program Administrator.
  - g. It is prohibited to enter or exit any vehicle while it is in motion. When exiting a vehicle, the employee or trainee is responsible for setting the brakes and shutting off the motor.
  - h. Unauthorized repair of any equipment or vehicle is prohibited.
16. It is your responsibility to report any unsafe condition or act to the instructor or Program Administrator.
17. Possession or consumption of alcoholic beverages, liquor, or narcotics on the training facility at any time or being under the influence of intoxicants or narcotics on the training facility or on the job is prohibited and grounds for immediate removal from the training program.
18. Possession of weapons of any kind on the training facility at any time is prohibited and shall result in immediate removal from the training program.
19. Unauthorized visitors to the workplace/training facility, including family and friends, are prohibited. Authorized visitors consist of customers and delivery personnel during regular business hours. In cases of emergency, employees should be called and asked to meet any visitors and family outside the work area/training facility.

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20. Personal vehicle parking shall be limited to designated parking stalls, including electric vehicle (EV) stations.