

2004 Memorandum of Agreement

By and between
OPCMIA Local 919 (Cement Masons)
and
Bosa Construction Inc. & Bosa Brothers Construction Ltd.

IT IS AGREED between the undersigned, (“Contractor”) and the Cement Masons Section of the Operative Plasterers and Cement Masons International, Local 919, Burnaby, British Columbia (OPCMIA Local 919), to enter into an Independent Master I.C.I. (Institutional, Commercial, Industrial) Labour Agreement effective May 1, 2004.

In consideration of services performed and to be performed by Cement Masons, the parties hereto agree to adhere to the provisions of the 2000 – 2004 Cement Masons Standard I.C.I. Agreement by and between Construction Labour Relations Association of B.C. and Cement Masons Section of the Operative Plasterers and Cement Masons International Association, Local 919 (hereinafter referred to as the I.C.I. - Agreement)

Those conditions contained within the 2000 – 2004 I.C.I. Agreement not altered as a result of this Memorandum shall remain in effect. The Agreement shall be read in conjunction with this Memorandum.

The following Clauses contained within the 2000 – 2004 I.C.I. Agreement are amended to read as follows:

CLAUSE 4 – WAGES AND HOURLY COST ITEMS

C. Metro Travel

6. Metro Payments:

The Employer will pay an amount of seventy-five cents (\$0.75) per hour earned to cover all travel time and transportation costs, including tolls, in the above metro areas to each Cement Mason regardless of his place of residence amount shall be added to the hourly rate.

D. Industry Funds

3. Cement Masons Apprenticeship and Trade Promotion Fund:

Effective May 1, 2004 the Cement Masons' Local 919 Apprenticeship and Trade Promotional Trust Fund has two Divisions known and described as Cement Masons' Local 919 Apprenticeship Division of the Cement Masons' Local 919 and Apprenticeship and Trade Promotional Trust Fund and the Cement Masons' Trade Promotional Division of the Cement Masons' Local 919 Apprenticeship and Trade Promotional Trust Fund.

Effective May 1, 2004, the Employer shall contribute an amount of thirteen and one-half cents (\$0.135) for each hour earned by Employees covered by this Agreement to the Cement Masons Apprenticeship and Trade Promotional Fund.

1. The amount of \$0.085 per hour shall be allocated for deposit into the Cement Masons' Local 919 Apprenticeship Division of the Cement Masons' Local 919 Apprenticeship and Trade Promotional Trust Fund.
2. The amount of \$0.05 per hour shall be allocated for deposit into the Cement Masons' Local 919 Trade Promotional Division of the Cement Masons' Local 919 Apprenticeship and Trade Promotional Trust Fund.

Contributions shall be made in accordance with Clause 5.

The Fund will be administered by a Board of Trustees as established by the Cement Masons' Local 919 Apprenticeship and Trade Promotional Trust Fund – 2004 Agreement and Declaration of Trust.

10. Contract Administration Fund

Delete.

CLAUSE 5—REMITTANCES

Delete all references re: Clause 4 D (10)

CLAUSE 6—BOARD OF TRUSTEES

- B.** The Cement Masons’ Apprenticeship and Trade Promotional Fund will be administered by a Board of Trustees as established by the Cement Masons’ Local 919 Apprenticeship and Trade Promotional Trust Fund – 2004 Agreement and Declaration of Trust.

THE PARTIES FURTHER AGREE THAT THE Agreement shall remain in effect from year to year or until such time as a new agreement (*s) in the industry is negotiated or amended (the industry agreement is the agreement negotiated with the Construction Labour Relations Association, or failing that, the agreement negotiated with another contractor group(s) which the union has recognized for the purposes of joint negotiations). Hence Section 50(2) and 50(3) of the British Columbia Labour Relations Code is hereby excluded, and

FINALLY, THE PARTIES AGREE THAT NEITHER PARTY WILL CARRY ON BUSINESS OR OPERATE IN SUCH A MANNER AS TO CIRCUMVENT THE SPIRIT AND INTENT OF THE AGREEMENT.

Signed on behalf of the Employer:

Signed on behalf of the Union:

SIGNATURE

SIGNATURE

SIGNATURE

SIGNATURE

DATE