



EXECUTIVE BOARD MINUTES

July 12, 2021

I. Call to Order:

Recording Secretary, Ed Nichols called the meeting to order at 5:38P.M at the U.A. Local 393 Union Hall, located at 6150 Cottle Road, San Jose, CA 95123.

II. Roll Call

The following Officers and Committee Members in attendance:

Ed Nichols

Jeff Bautista

Scott Estep

A.J "Jimmy" Ramirez

Margarita Marquez Reese

President and Presiding Chair/Vice President not in attendance.

Also present: Business Representative Scott Reese

A vote from the Executive Board to elect Business Representative Scott Reese as Pro Tem Presiding Officer. A vote of 4-0 for yes.

Brother Ed Nichols remained as Recording Secretary for the Executive Board Meeting.

MOTION made by Brother Jeff Bautista to address membership applicants before citations. Motion seconded and carried With a 4-0 vote.

III. Executive Board Assessments:

For the record, assessments for the period May 01, 2021 through May 31, 2021 summed \$00.00.

IV. Membership Appeals/Requests:

None

V. Application for Membership:

VALDESPINO, Daniel

Provisional BTJ HVAC Pipefitter Refrigeration

Was present regarding his application for membership as a Provisional Building Trades HVAC Pipefitter Refrigeration Journeyperson applicant. Following a review of the documents presented and a brief interview with Mr. Daniel Valdespino, motion made to concur with the Refrigeration Exam Board assessment dated June 25, 2021 and **approve** his application for membership as a

5th Period HVAC Service Apprentice pending a “Direct Entry” Apprenticeship Sponsorship Agreement Form from a prospective signatory UA Local 393 Contractor.

Mr. Valdespino is to follow the regular course outlined by the Refrigeration Exam Board and will have two (2) years to obtain a “Direct Entry” Apprenticeship Sponsorship Agreement form signed. Once these conditions are met, Mr. Valdespino will obtain membership in UA Local Union 393 and the United Association. Motion seconded, and carried with a vote 4-0. Mr. Daniel Valdespino will be notified of the Board’s decision by the Union business office.

VI. Citations – Travel Dues:

None

VII. Assessment Appeals:

None

VIII. Citations

Charging party, Brother Conrad Pierce, card number XXX4080, a member of Local 393 filed the following charges against Jose Trejo Marquez, card number XXX5101, a member of Local 467 alleging a violation of UA Constitution, Section 194 (a) and (d), 218 (a) and (i), and UA 393 Constitution and ByLaws Section 55 (a) Working Contrary to the Terms of Local 393 Collective Bargaining Agreement, and Working Rule #18.

The charges were accepted by a majority vote of the membership of Local Union 393 of the United Association on May 12, 2021 and referred to the Executive Board for trial.

The charges were duly served on Jose Trejo – Marquez by Certified Return Receipt Mail and U.S. Regular Mail, dated May 20, 2021, again on June 18, 2021, and again on July 08, 2021` via UPS next day air, allowing more than ten (10) days prior to the trial as provided by Section 200 (c) and (d) of the United Association Constitution. Due to the time constraints and the importance of completing UA Local 393 contract negotiations, normal monthly Executive Board had to be cancelled and rescheduled.

The hearing of the charges was held before the Local Executive Board on the night of July 12, 2021.

Both parties, Brother Conrad Pierce and Brother Jose Trejo - Marquez were present.

After hearing the opening statements of the accused and the charging party and considering the testimony of Edmundo Escarcega, Local 393 member XXX7111 witness to the charging party, and including other evidence, the Local Executive Board unanimously concludes and finds the following facts:

1. That Brother Jose Trejo - Marquez pleaded guilty with reservations due to miscommunications during Union Office closure because of COVID restrictions.
2. Both parties agreed they had a fair trial

The Executive Board unanimously concluded by a vote 4-0 to dismiss these charges.

The Business Manager is directed to mail a copy of this decision to Jose Trejo - Marquez after the report is presented at the membership meeting via Zoom Platform on August 11, 2021.

IX. Correspondence/Dues Carry:

None

X. Unfinished Business:

None

XI. New / Old Business:

XII. Adjournment:

There being no further business to discuss, motion made by Brother Jeff Bautista to adjourn. Motion seconded by Brother Scott Estep and carried.

The meeting adjourned at 6:47 P.M.

Respectfully submitted,

Ed Nichols, Recording Secretary

EN: mg/opeiu29/afl-cio

