MOST FAVORED NATIONS PROVISION

In the event that the Union is party to a collective bargaining agreement which includes a provision that is more favorable to a provision that is set forth in this Agreement, the Association may adopt such provision. Such provision shall become effective as a term of this Agreement immediately upon written notification to the Union of adoption by the Association. Upon written request of the Association, the Union shall immediately provide copies of any collective bargaining agreement that it is party to, covering the performance of any work that falls within the scope of work covered by this Agreement, so that the Association may effectively utilize this provision.

EXPLANATION NOTE:

This most favored nations provision is desirable, in that it allows the Association to adopt a more favorable provision of another collective bargaining agreement, rather than being forced to adopt the entire agreement. Occasionally, another collective bargaining agreement may have a favorable provision, but overall, the agreement is generally undesirable from the Association’s standpoint. (For example, it may exclude industry fund contributions).

This provision is also desirable in that it allows the Association to unilaterally adopt the more favorable provision, without any requirement of reopening the agreement. The favorable term is immediately effective upon written notice of adoption by the Association.

Finally, this provision also obligates the Union to provide copies of any other collective bargaining agreement that is party to, that covers work that is within the scope of work covered by the collective bargaining agreement. Obviously, a most favored nations provision is not very helpful if the Association is kept in the dark about contract provisions that the Union has negotiated with other entities.