



## **ACCESS TO NAECI PROCEDURES**

### **Introduction**

There are occasions where contracting companies use the NAECI as a set of terms and conditions of employment but who may not be ECIA, SELECT or TICA members or they may be members of a signatory employers' organisation but may be operating on work that is out-of-scope. This Guidance Note is designed to give assistance in these situations so that signatories can meet their obligations to the Agreement.

### **Use of Terms and Conditions except Procedures**

Preventing contractors or other organisations from using NAECI terms and conditions is not practical. It is recognised that this takes place and often the whole set of terms and conditions may not be used or they might be added to. No guidance is required to deal with these situations unless they become involved on in-scope work.

### **Access to Procedures**

Access to NAECI Procedures has to be managed in a disciplined manner. The NJC is funded to run these procedures on behalf of the signatories to the NAECI for in-scope work.

Full access is always granted (subject to NAECI) for contractors, trades unions and their members provided:

1. The Contractor is a member of a signatory Employers' Association
2. And the work being undertaken is in scope as per NAECI 1.4
3. The work is NAECI Registered

No access will be given where the contractor and employees are engaged on out of scope activities.

### **Exceptions**

There may be instances where signatory contractors move from in-scope to 'out-of-scope' work and vice versa and where their employees were engaged on NAECI terms and conditions at the outset.

The Employer should make it clear to the employees by notification in writing that moving to 'out of scope' work will bar them from proceeding past Stage 2 in the NAECI procedures.

Should it be considered that there are special circumstances and that access should be granted, then application should be made to the Executive Chairman who will consult the Principals of the NJC Executive Committee for a decision.