

ATTACHMENT E

CONTINUATION OF SERVICE AGREEMENT

THIS AGREEMENT is entered into by and between the Sheet Metal and Air Conditioning Contractors' National Association, Inc. (hereinafter referred to as "SMACNA"), and the _____ (Name of Local Association) _____ (herein referred to as "Association") and _____, a contractor actively engaged in the Sheet Metal Industry (hereinafter referred to as "Contractor").

WHEREAS, the Contractor is directly and/or indirectly accruing benefits from services performed by SMACNA and _____ (Name of Local Association) _____, and

WHEREAS, the Contractor wishes to assure the continuation of programs to advance the Sheet Metal Industry, and

WHEREAS, Contractor now contributes monetarily to the advancement of the Sheet Metal Industry and wishes to continue making such contributions to the advancement of the Sheet Metal Industry.

NOW, THEREFORE, in consideration of the premises herein and in consideration for the mutual benefits to be received by the parties hereto, it is agreed as follows:

1. Contractor shall pay to the _____ (Name of Local Association) _____ an amount equivalent to the total contribution required by the trustees of the local industry fund and the industry fund of the United States for each hour worked by each employee covered under the Contractor's Collective Bargaining Agreement(s) with the Sheet Metal Workers International Association and/or the local union(s) thereof.

2. Contractor shall remit the contributions required by Paragraph 1 of this Agreement as directed by the Board of Directors of the Association. The Association agrees that from these contributions it shall remit to SMACNA an amount equivalent to the contribution required by the trustees of the Industry Fund of the United States.

3. This Agreement shall remain in full force and effect for a minimum period of three years from the date hereof. Thereafter, this Agreement shall continue for additional periods of one year each unless and until one of the parties shall provide notice of its intention to terminate this Agreement to the other two parties. Such notice must be in writing and deposited in the United States Mail at least ninety (90) days prior to the expiration date of this Agreement and at least ninety (90) days prior to the expiration date of any then current labor agreement between Contractor and SMWIA and/or the local union thereof.

4. This Agreement shall not alter or affect the contractor's present obligation, if any, to continue making contributions to the _____ Industry Fund and/or the SMACNA-IFUS pursuant to any existing labor agreement. The contributions to the associations as required by Paragraphs 1 and 2 of this Agreement shall be

suspended during such time that the Contractor is obligated by any labor agreement with the Sheet Metal Workers International Association/International Association of Sheet Metal, Air, Rail and Transportation Workers or local union thereof to make contributions to said industry fund(s); it being the purpose of this Agreement to assure the uninterrupted payment of such contributions even though the Contractor's obligation under any labor agreement to so contribute is terminated.

5. All contributions paid pursuant to this Agreement shall be utilized by the Board of Directors of _____ (Name of Local Association) _____ and SMACNA in accordance with the purposes as provided in the Constitution and By-Laws of the said associations.

6. The Contractor shall receive financial reports from the Association and SMACNA disclosing how the monies have been used for the advancement of the industry.

7. Whenever the contribution requirements of Paragraphs 1 and 2 of this Agreement become effective, the Contractor shall, if not a member of the Association and/or SMACNA, automatically be entitled to become a member of both organizations with attendant rights and privileges and subject to applicable membership duties and responsibilities.

IN WITNESS WHEREOF, the local parties have signed this Agreement this _____ day of _____, 20____.

Name of Local Association

By _____

Name of Contractor

By _____