

RELEASE AND WAIVER

WHEREAS _____ (hereinafter “the Contractor/Releasor”) is a member of the Boilermaker Contractors’ Association of Newfoundland and Labrador and/or Boilermaker Contractors’ Association of Canada (hereinafter “the Association”);

AND WHEREAS the International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers (AFL-CIO-CLC) together with the Boilermakers Local Lodge 203 are the Bargaining Agent(s) for unionized Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers for the Province of Newfoundland and Labrador (hereinafter “the Union”);

AND WHEREAS the Association, and all of its individual members collectively, and the Union have created a Trust Fund in order to develop and maintain job opportunities for the unionized members of the Union by providing wage subsidies to Contractors who qualify and apply for said wage subsidies and who, after bidding on a given certain job, are successful in being awarded said job;

AND WHEREAS in order to accomplish said promotion of job opportunities the Association and the Union in order to carry out the mandate of the Trust Fund the Parties hereto have agreed to have the Trust Fund administered by a board of Trustees jointly managed by appointees from the Association and the Union;

AND WHEREAS the Contractor recognizes that in pursuit of the objectives of the Trust Fund the Trustees must from time to time review and assess applications from Contractors who seek subsidies from the Trust Fund and in order to do so the Trustees collectively must determine whether each Contractor seeking such a subsidy is compliant in meeting all requirements of the Trust Fund subsidy application process;

AND WHEREAS now the Contractor has so made an application to the Board of Trustees requesting it be approved for a subsidy relating to:

Job details: _____

Location/client: _____

Start/end date: _____

AND WHEREAS the Contractor confirms that it, nor its' shareholders, directors or principals are not, either directly or indirectly, affiliated with a non-union company who is also bidding on this work.

AND WHEREAS it is acknowledged and agreed by the Contractor that so long as the Board of Trustees act in good faith in reviewing, assessing, and determining whether any given Contractors' application is compliant with the Trust Fund application process the Contractor agrees as follows:

1. To release and discharge the Association, the Union, the Board of Trustees, and the Officers, Directors, Servants, Employees and Agents of the BCA, the Union and the Trust Fund (collectively "the Releasees") from any and all manner of actions, causes of actions, suits, contracts, claims, damages, costs and expenses of any nature of kind whatsoever as against them individually or collectively by reason of or arising out of the Contractors participation in the Contractors membership in, the BCA and/or the Contractors participation in the Trust Fund subsidy application process and the Board of Trustees reviewing and administering the within application for the job subsidy.

THIS AGREEMENT between the Parties hereto is intended to Release and hold harmless the Releasees from any and all claims the Releasor has, had, or may have at any time in the future of any claims whatsoever arising from the administration of the Trust Fund application process.

IN WITNESS WHEREOF I have executed this Release this _____ day of _____, 20_____.

WITNESS

(the "Contractor")

DATE

DATE