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The Washington Connection

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Project Labor Agreements and Community Workforce Agreements

Although project labor agreements (PLAs) have been discussed in past articles, I feel the subject needs to be revisited for the benefit of our new members and local union officers. After all, PLAs—both on private and public projects—are being implemented with greater frequency and are an important resource in securing work for our members. In addition, another type of labor agreement known as a community workforce agreement (CWA) is becoming the norm in some areas of the country. It is important to understand the differences between PLAs and CWAs and their ultimate objectives.

Project Labor Agreements

A PLA is a pre-hire collective bargaining agreement between the local building trades council and contractors or owners. It sets out basic terms and working conditions for all tradesmen employed on that particular project. It is limited by the scope of work defined in the agreement and normally expires when the project is completed.

A PLA dictates the same basic terms and working conditions as a local collective bargaining agreement: scope of work, union recognition, work stoppages and lockouts, working hours and overtime, shift pay, jurisdictional disputes, grievances and subcontracting might all be addressed. A PLA may vary from your local collective bargaining agreement in terms of working conditions and other language; however, employees' wages and benefits are typically the same under a PLA as in the local agreement.

The main benefit of a PLA is that it ensures the project will be completed in an efficient, cost-effective and timely manner, which is the key selling point to contractors and owners. It also guarantees completion of a project without work stoppages. Contractors view it as a "risk management tool" that protects them against work stoppages and strikes. They also benefit from the more-flexible assignments and scheduling than those that exist under a local agreement, as well as the readily available skilled employees routed through the referral systems stipulated in an agreement.

In turn, PLAs assure that the project will be all-union (private-project PLA), or that local union wages, benefits and working conditions will be implemented on the project (public-project PLA). Owners, on the other hand, view it as a means to get their projects completed with skilled and qualified craftsmen—on time and on budget.

PLAs are negotiated by local building trades councils and their affiliated locals. Terms and conditions can vary across the

country, with market conditions, union density, skilled-worker availability and legislative capability all factors in determining a council's ability to negotiate an equitable PLA.

A common misconception is that PLAs are negotiated on a national level. The Building and Construction Trades Department of the AFL-CIO has a mandatory approval process that requires certain criteria to be met; however, all other conditions are determined by the local building trades council and the project's general contractor and/or owner.

Community Workforce Agreements

Over the past decade community workforce agreements (CWAs) have emerged as another effective tool for helping building trades unions secure a larger market share, as well as providing a mechanism for local unions to meet their recruitment requirements.

A CWA is basically a project labor agreement among public or private construction end-users, the local building trades council and contractors, covering a specific project in a defined jurisdiction. The CWA incorporates a targeted hiring provision designed to get economically disadvantaged residents of that jurisdiction into construction careers. The interests of the community are incorporated into the terms of the CWA, therefore it's beneficial to all parties involved.

There has always been strong evidence that PLAs serve the best interest of the public. CWAs go beyond that by assisting communities that have been excluded from economic development and job opportunities. With a CWA, the community not only participates in the development of the agreement, but also shares the gains generated by its implementation.

CWAs are a valuable tool for creating new career opportunities in the building trades, expanding the union market and membership, and most importantly, building a mutually beneficial labor-community partnership.

Fighting Misperceptions

PLAs, specifically on publicly funded projects, have traditionally come under attack from organizations such as Associated Builders and Contractors (ABC), which represents merit shop construction firms. They constantly challenge the legality of PLAs on publicly funded projects on local, state and federal levels, claiming PLAs create cost overruns and discriminate against non-union contractors.

This position has never been substantiated with strong evidence and factual studies. In fact, numerous unbiased studies at state and federal levels have confirmed that PLAs are an effective means of completing a project safely, on time, on budget, and with the public's best interest in mind. PLAs also encourage minority job and apprenticeship training opportunities.

Our union, along with the Building and Construction Trades Department, is constantly defending and promoting the use of PLAs on both publicly and privately funded projects. We are not alone in our support. Countless end users, both private and public, endorse the use of PLAs on their projects because it is



cost effective and productive.

Our local unions should always support PLAs and CWAs and educate end users such as public officials about the positive effects these agreements have on communities. I have extensive information available upon request regarding the background

of CWAs and PLAs, talking points, and supporting material that would be useful for local representatives or membership education.

I hope everyone has a Merry Christmas and a prosperous New Year. ■

Roofing Jobs Legislation Moves Forward



From left: Kalkreuth Manager David Hesse, Senator Ben Cardin, Local 30 Business Representative Jim Brown and Local 30 Business Representative Frank Olenick rally for the Roofing Efficiency Jobs Act at the press conference.

U.S. Senator Ben Cardin (D-Md.) held a news conference on September 19 to publicize the Roofing Efficiency Jobs Act (formerly known as the Green Roofing Energy Efficiency Tax Act, or GREETA). The bipartisan bill, co-sponsored by Senator Cardin and Senator Mike Crapo (R-Id.), has long been pursued by the United Union of Roofers, Waterproofers & Allied Workers as a tool for creating up to 40,000 new

commercial roofs is 39 years. The Roofing Efficiency Jobs Act calls for shortening the period to just 20 years for commercial retrofits.

As a result, more companies will be eligible to upgrade their buildings with more-efficient green roofs, and thousands of roofers will be needed to install them.

Roofers International Vice President/Washington Representative Jim Hadel has been at the forefront of this roofing-specific legislation since its inception as GREETA in 2009. He has worked tirelessly to find a Republican sponsor for the bill in the Senate and to spread word about the jobs bill across the country. Unfortunately the legislation was stalled earlier this year during the debate over the federal budget, but now seems to be back on track.

Local 30 Business Representative Frank Olenick believes the bill just makes sense economically. "Clearly, the construction industry has been one of the industries hit the hardest, and Congress should focus on sensible laws like this bill," Olenick said. Luckily, Union Roofers aren't about to back down from this jobs-creating law. ■

jobs nationwide, while increasing energy efficiency.

The conference took place at Kalkreuth Roofing in Frederick, MD, in front of an audience that included members of Roofers Local 30, Philadelphia, PA. Local 30's jurisdiction includes Washington, DC, and surrounding areas, including parts of Maryland.

The bill will create economic growth by significantly reducing the tax-code depreciation schedule for commercial roof retrofits. Currently the depreciation schedule for commer-



First PLA with "Helmets to Hardhats" Clause Signed in Tennessee

The Building and Construction Trades Department announced in August the ratification of a project labor agreement that includes a specific provision designed to assist America's military veterans with career training in the skilled trades.

The agreement was reached between Walbridge, one of America's top construction firms, and the Chattanooga TN Building and Construction Trades Council. The PLA will cover the Army/U.S. Army Corps of Engineers' Y-Two Step Design-Build for Repair Turbine Engine Dry Air Capability (TEDAC) Phase 2, at Arnold Air Force Base in Tennessee.

Under the agreement, the contractor and the signatory unions are facilitating the entry into the building and construction trades of veterans and members of the National Guard and Reserves who are interested in careers in the building and construction industry.

The employers and unions agree to utilize the services of the Center for Military Recruitment, Assessment and Veterans

Employment and the Center's "Helmets to Hardhats" program to serve as a resource for preliminary orientation, assessment of construction aptitude, referral to apprenticeship programs or hiring halls, counseling and mentoring, support network, employment opportunities and other needs.

Since 2007, Helmets to Hardhats has successfully placed over 5,000 veterans in skilled craft apprenticeship programs throughout the United States, over 170 of whom are "wounded warriors." In recognition of the work of the Helmets to Hardhats program, and the value it will bring to the Arnold Air Force Project, Walbridge and its partnering subcontractors, including John E Green, Dover Environmental, Siemens, and Lawson Electrical, shall make a one-time contribution of \$3,000 to Helmets to Hardhats.

The Department strongly encourages ALL state and local building trades councils to include this provision in all future project labor agreements negotiated in your area.

