

# Proposed Terms for Measure I Bond Project Labor Agreement

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# What is a Project Labor Agreement?

- Project Labor Agreements (PLAs) are master collective bargaining agreements between construction trade unions and project owners that establish working site conditions and management rights prior to the start of project construction

# Background

- In October, Board directed staff to negotiate a PLA covering projects funded by Measure I bond
- District and Trades Council have agreed to material terms and conditions of the PLA
- This presentation sets out those terms to inform public and Board before action is taken
- Finalized PLA will come to Board for approval at next meeting

# Benefits and Risks

- **Benefits**

- Reduces the risk of construction delays
- Higher skill levels developed by specialization
- Helps ensure prevailing wage compliance
- Locally negotiated benefits
  - Alameda-resident hiring preference
  - Career and Technical Education collaboration

- **Risks**

- Can reduce number of bids received, especially for smaller projects
- Staff time diverted to PLA compliance monitoring

# Standard PLA Terms

- Handling of labor disputes
  - Contractors agree not to lock out workers
  - Unions agree not to go on strike
  - Both parties agree to a process to resolve disputes without labor disruptions
  - Pre-construction conferences and joint committee to help smooth implementation
- Hiring process and conditions of employment
  - Labor unions are recognized as exclusive bargaining representatives
  - Contractors use union hiring hall as source of workers
  - All workers pay union dues regardless of membership

# Major AUSD-Specific PLA Terms

- Scope of covered work
- “Carve-out” to be used at District’s discretion
- “Core employee” exception to hiring hall requirement
- CTE collaboration
- Local hire preference

# Scope of Covered Work

- Limited to Measure I-funded projects
  - Includes projects jointly funded by Measure I and other funds (such as state seismic mitigation funds)
- Limited to work falling within craft jurisdiction of Building & Trades Council unions
  - Does not include professional costs like architect's fees
  - Does not cover work done directly by AUSD employees
  - Does not cover purchase of specialized equipment
    - Information Technology and Data Processing equipment for technology and safety projects
    - Modular/prefabricated classroom buildings
    - Does cover installation of these items

# Discretionary Carve-Out

- District has the right to exclude 5% of Measure I funds from PLA
- Can be used on any type of otherwise covered work
  - Helps mitigate risk that smaller projects will attract fewer bidders if covered by PLA
  - More flexible than project-specific carve-outs seen in some other PLAs
- District agrees that effect of the carve-out will not disproportionately fall on any one craft union



# “Core Employee” Provision

- Exception to general rule that all workers must be referred through union hiring hall
- Up to five workers who have worked consistently for a contractor can be hired directly by that contractor
- Must be Alameda County residents
- Again, helps mitigate risk that smaller contractors with set employees will not bid because of PLA

# CTE Collaboration

- Participate in career fairs
  - Goal of placing district students in apprenticeship or pre-apprenticeship programs
- Identify mentors for students considering career in the trades
- Speakers at least twice a year to let students know about opportunities in the trades
- Possibility of expanding if district expands CTE program

# Local Hire

- Local funds used to create local jobs
- Apprenticeship requirement
  - Contractors for larger projects commit to hiring recent AUSD graduates enrolled in approved apprenticeship programs
- Alameda resident hire targets
  - Ten percent of hours worked should be done by Alameda residents
  - Contractors who fail to make sufficient efforts to hit target could be deemed non-qualified for future Measure I work

# Questions?