

House File 21 - Introduced

HOUSE FILE 21

BY HUNTER

A BILL FOR

1 An Act requiring the consideration of project labor agreements
2 for state construction projects.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. NEW SECTION. 72.6 Project labor agreements.

2 1. For the purposes of this section:

3 a. "*Labor organization*" means an area or state building
4 and construction trades or crafts council, organization, or
5 association or a comparable body.

6 b. "*Large-scale construction project*" means the
7 construction, rehabilitation, alteration, conversion,
8 extension, repair, or improvement of a vertical public works
9 project, including a building and other real property-related
10 project, where the total project cost is twenty-five million
11 dollars or more.

12 c. "*Project labor agreement*" means a comprehensive pre-hire
13 collective bargaining agreement that is negotiated between
14 a project's owner and an appropriate labor organization and
15 which sets out the basic terms and working conditions for that
16 particular project.

17 2. A state agency shall consider using a project labor
18 agreement in connection with a large-scale construction project
19 which meets the criteria established in this section.

20 3. In awarding a contract involving labor in connection
21 with a large-scale construction project, or in obligating
22 funds pursuant to such a contract, a state agency, on a
23 project-by-project basis, may require the use of a project
24 labor agreement where the use will advance the state's
25 interest. In making the decision whether to use a project
26 labor agreement, the state agency shall consider the following
27 factors:

28 a. The potential for a labor disruption, such as a strike,
29 lockout, or slowdown, which could affect the timely completion
30 of the project.

31 b. The number of trades and crafts anticipated to be used
32 on the project.

33 c. The need and urgency of the project and the harm to the
34 public if the completion of the project is delayed.

35 d. The size and complexity of the project and the time

1 needed for its completion.

2 *e.* The benefits to the public from the use of a project
3 labor agreement relative to a project's cost, efficiency,
4 quality, safety, and timeliness of completion.

5 *f.* The ability to ensure compliance with all applicable
6 state laws and rules governing safety and health, equal
7 employment opportunity, labor, and employment standards.

8 4. If a state agency determines that the use of a project
9 labor agreement will advance the state's interest, the state
10 agency may require that every contractor or subcontractor
11 on the project agree, for that project, to negotiate or
12 become a party to a project labor agreement with one or more
13 appropriate labor organizations. The decision to use a project
14 labor agreement shall be supported by written findings by
15 the affected state agency which demonstrate how the use of a
16 project labor agreement will benefit the state's interest,
17 particularly with respect to the factors enumerated in section
18 3.

19 5. A project labor agreement reached pursuant to this
20 section shall do all of the following:

21 *a.* Bind all contractors and subcontractors on the
22 large-scale construction project through the inclusion of
23 appropriate specifications in all relevant solicitation
24 provisions and contract documents.

25 *b.* Allow all contractors and subcontractors to compete for
26 contracts and subcontracts without regard to whether they are
27 otherwise parties to collective bargaining agreements.

28 *c.* Contain guarantees against strikes, lockouts, and similar
29 job disruptions.

30 *d.* Set forth effective, prompt, and mutually binding
31 procedures for resolving labor disputes arising during the term
32 of the project labor agreement.

33 *e.* Provide other mechanisms for labor-management cooperation
34 on matters of mutual interest and concern, including but not
35 limited to productivity, quality of work, safety, and health.

