



# **Citywide Project Labor Agreement (PLA)**

**Prevailing Wage Team, OLSE**

# What is the Citywide PLA?

- An agreement between the City and County of San Francisco and the San Francisco Building Trades Council and its affiliated unions
- Signed and took effect on 7/14/2020
- Only applies to Covered Contracts that are issued by:
  1. Public Works
  2. Recreation and Parks

# What is a Covered Project?

Construction projects advertised by Public Works or Rec & Park if the following conditions are met:

1. Project is funded in whole or in part by General Obligation or Revenue bonds and the estimated construction cost *exceeds* the following threshold amounts:
  - ✓ \$5 million from 7/14/2020 – 7/13/2021
  - ✓ \$3 million from 7/14/2021 – 7/13/2022
  - ✓ \$1 million after 7/14/2022 – 7/13/2040
2. Project funded by any source other than the above mentioned bonds and the estimated construction cost to be more than \$10 million

# Local Business Enterprise (LBE) Exemption

**Qualifying LBEs are exempt from the terms and conditions of the PLA**

- LBEs must be certified by CMD under Admin. Code Ch. 14B
- LBE exemption applies to LBEs whose cumulative payments are less than \$5 million on Citywide PLA Covered Projects
- LBEs wishing to be exempt from the PLA must sign and submit a “Statement of Exemption”
- LBEs who have been issued \$5 million in cumulative payments on Covered Projects are no longer exempt from the PLA

# Use of Hiring Halls Under the PLA

- All trade workers must be dispatched through the hiring hall of the appropriate union
- The union and contractor must alternate between one core worker and one employee from the union's out-of-work list until five core workers are hired
- Contractor must exclusively use the union's out-of-work list after the fifth core employee (PLA 4.7.1)
- Contractor shall lay off employees using same alternating process
- Union has the right to ask contractor for proof that any Core Employee meets qualification (PLA 4.7 and eligibility 2.1.8)

# Core Employee

- No previous relationship with the appropriate union
- Licensed for the Covered Work to be performed as required
- Worked at least 1,000 hours in the construction craft during prior three year period
- Has been on the Contractor's active payroll for at least 500 hours during the most recent five month period
- Can safely perform the basic functions of the applicable trade

# Trust Fund Contributions Under the PLA

- All contractors must make fringe benefit payments on behalf of all trade workers to the appropriate union trust fund
- Does not apply to exempt LBE contractors

# Pre-Job Meeting

- OLSE will coordinate a pre-job meeting to take place at least 14 days prior to commencement of the Covered Project
- Every contractor and subcontractor must attend along with representatives from the Building Trades Council, the Awarding Body, and the affiliated Unions
- Prior to this meeting, Letters of Assent or LBE Exemption Forms and Craft Assignment Forms are required to be signed and submitted as directed
- Prime contractors are responsible for attendance and participation of their subs



# Jurisdictional Dispute Resolution

- “The Plan” as cited in the PLA will settle jurisdictional disputes between the trade unions
- Jurisdictional disputes involving the Northern California Carpenters Regional Council will go directly to arbitration

# PLA Administration Grievance Procedure

Interpretations or applications of the PLA may be grieved

- Grievances must be filed within 30 days from the date of occurrence
  - Step 1: Within 5 days after receipt of the written grievance, the Parties shall confer to resolve
  - Step 2: If unresolved, refer to the Joint Administrative Committee (JAC) within 10 days after conferring. JAC shall meet within 5 days of referral and attempt to resolve by majority vote
  - Step 3: Parties may go to arbitration, and arbitrator shall issue decision within 5 days

# What is a Joint Administrative Committee (JAC)?

- JAC is comprised of six members: three members selected by the City Administrator and three members selected by the Building Trades Council
- JAC shall meet as needed to review the implementation of the PLA and attempt to resolve problems or grievances by majority vote

# Work Stoppages & Lockouts

- Work stoppages, strikes, sympathy strikes, picketing and slowdowns will not be permitted under the PLA
- Lockouts will not be permitted by any contractor under the PLA
- Violators may be subject to liquidated damages in the sum of \$15,000 per shift



# Questions?

Citywide PLA Hotline: [415-554-6573](tel:415-554-6573)

Email: [prevailingwage@sfgov.org](mailto:prevailingwage@sfgov.org)

OLSE Website: <https://sfgov.org/olse/citywide-project-labor-agreement>