

March 2, 2021

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Marin County Board of Supervisors  
3501 Civic Center Drive  
San Rafael, CA 94903

**SUBJECT: Project Labor Agreement Policy Guidelines**

Dear Supervisors,

**RECOMMENDATION:** Consider approval of PLA policy guidelines

**Overview**

The policy goal of a Project Labor Agreement (PLA) is to deliver highly trained local jobs at a sustainable wage. Achieving this goal depends on how the PLA is structured. A PLA is a multi-employer, multi-union pre-hire agreement designed to systematize labor relations at a construction site and promote the training of local hires into sustainable wage jobs. Used in large scale projects, the winning bidder for the project agrees to use labor assigned from union halls and agrees to utilize local apprentices, building a local workforce in skilled labor trades. The PLA will define the number or % of non-unionized workforce allowed on the project.

Staff has worked with Supervisors Damon Connolly and Dennis Rodoni to propose PLA policy guidelines to better ensure we achieve the desired policy goals. The terms of the PLA are negotiated by the Union and the County of Marin for each project and may vary based upon the specifics of the project. With a PLA the union verifies and ensures that every employee on the job is receiving prevailing wage and helps to prevent work stoppages. Through negotiation, the parties can also agree on the establishment of local apprenticeship programs, which can provide needed skill development in local jurisdictions. Adding a new negotiation process to the project will likely add significantly more time to the project timeline, so staff would need significant lead time to avoid project delays. What follows are proposed PLA guidelines to guide the development of future PLA agreements.

**Proposed PLA Guidelines**

For your Board's consideration, we are proposing that beginning in FY 2021-22 staff would develop a PLA for facility improvement projects over \$3 million. Staff would return to your Board for approval of a project specific PLA prior to the bidding process. Any PLA must include at least the terms identified below:

- 1) Labor Wage and Conditions
  - a) Prohibition of discrimination.

- b) Union membership and payments of dues: Employees utilized in the capacity of the PLA need not be union members or pay union dues, as negotiated by the PLA. However, if an employee is a member of a union, then the employee must “maintain membership in good standing while employed on the Project.” The intent is that employees in the apprentice program are union members.

2) Wages and Benefits

- a) If non-union contractors want to continue to pay non-union benefits, they may do so. However, they must establish that the wages and benefits are equivalent or better to those required by the union.
- b) Prevailing wage as per California Labor Code and Marin County Code (living wage ordinance).

3) PLA Contract Term Maintenance

- a) No strikes or lockouts.
- b) Creation of Joint Labor Management Committee.

4) Hiring and Training Practices

- a) Prioritize local hire and ensure the creation of opportunities for apprenticeships. Specifically, the PLA must identify mandatory hiring by zip code in Marin County so that residents have an opportunity to receive training and promote into sustainable wage jobs. This piece of the agreement will need to be negotiated in advance, so that local apprentice programs can be set up. Include in the agreement language around intended outcomes of the apprenticeships, so that the Union and the County are measuring impacts of the program.

**FISCAL IMPACT:**

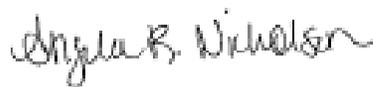
The capital project costs may increase due to internship, local hiring and benefit requirements of a PLA. The actual cost impact would depend on the specific project and proposed PLA provisions. If your Board approves this policy, we will provide more detailed fiscal impact estimates once the specific PLA is brought to your Board for approval.

Please let us know if you have any questions or concerns.

**REVIEWED BY:**

<input type="checkbox"/>	Department of Finance	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	County Counsel	<input checked="" type="checkbox"/>	N/A
<input type="checkbox"/>	Human Resources	<input checked="" type="checkbox"/>	N/A
<input checked="" type="checkbox"/>	County Administrator	<input type="checkbox"/>	N/A

Sincerely,



Angela Nicholson  
Assistant County Administrator

