

1 AN ACT concerning project labor agreements.

2 WHEREAS, the State of Illinois has a compelling interest
3 in awarding public works contracts so as to ensure the
4 highest standards of quality and efficiency at the lowest
5 responsible cost; and

6 WHEREAS, a project labor agreement, which is a form of
7 pre-hire collective bargaining agreement covering all terms
8 and conditions of employment on a specific project, can
9 ensure the highest standards of quality and efficiency at the
10 lowest responsible cost on appropriate public works projects;
11 and

12 WHEREAS, the State of Illinois has a compelling interest
13 that a highly skilled workforce be employed on public works
14 projects to ensure lower costs over the lifetime of the
15 completed project for repairs and maintenance; and

16 WHEREAS, project labor agreements provide the State of
17 Illinois with a guarantee that public works projects will be
18 completed with highly skilled workers; and

19 WHEREAS, project labor agreements provide for peaceful,
20 orderly, and mutually binding procedures for resolving labor
21 issues without labor disruption; and

22 WHEREAS, project labor agreements allow public agencies
23 to predict more accurately the actual cost of the public
24 works project; and

25 WHEREAS, the use of project labor agreements can be of
26 specific benefit to complex construction projects of large
27 scope such as road construction and repair; and

28 WHEREAS, project labor agreements are useful from a cost,
29 efficiency, quality, safety, and timeliness standpoint and in
30 eliminating potential for friction by ensuring that work is

1 performed by trade unions that have traditionally performed
2 and have trade and geographic jurisdiction over the work
3 performed; therefore

4 Be it enacted by the People of the State of Illinois,
5 represented in the General Assembly:

6 Section 1. Short title. This Act may be cited as the
7 Project Labor Agreement Act.

8 Section 5. Public works projects. On a
9 project-by-project basis, a State department, authority, or
10 instrumentality shall include a project labor agreement on a
11 public works project when it has been determined that a
12 project labor agreement advances the State's interests of
13 cost, efficiency, quality, safety, timeliness, skilled labor
14 force, and labor stability and the State's policy to advance
15 minority-owned and female-owned businesses.

16 Section 10. Negotiation of project labor agreement. When
17 it has been determined that a project labor agreement is
18 appropriate for a particular public works project, a State
19 department, authority, or instrumentality responsible for
20 implementing the project shall either (i) in good faith
21 negotiate a project labor agreement with labor organizations
22 engaged in the construction industry that represent
23 experienced and skilled construction workers or (ii)
24 condition the award of a project manager or general
25 contractor upon a requirement that the manager or contractor
26 negotiate in good faith a project labor agreement with labor
27 organizations engaged in the construction industry and, if
28 necessary, use the Department of Labor to reach a project
29 labor agreement. The State department, authority, or
30 instrumentality may reserve the right to approve the

1 negotiated project labor agreement.

2 Section 15. Contents of project labor agreement. A
3 project labor agreement must:

4 (1) set forth effective, immediate, and mutually
5 binding procedures for resolving jurisdictional disputes,
6 labor disputes, and grievances arising before the
7 completion of work;

8 (2) contain guarantees against strikes, lockouts,
9 or other similar actions;

10 (3) standardize the terms and conditions of
11 employment of labor on the public works project;

12 (4) permit flexibility in work scheduling and shift
13 hours and times;

14 (5) ensure a reliable source of skilled and
15 experienced labor;

16 (6) further public policy objectives as to improved
17 employment opportunities for minorities, females, and the
18 economically disadvantaged in the construction industry;

19 (7) permit contractors and subcontractors to retain
20 a percentage of their current workforce in addition to
21 labor referred through the signatory labor organizations;

22 (8) permit the selection of the lowest qualified
23 responsible bidder, without regard to union or non-union
24 status at other construction sites;

25 (9) be made binding on all contractors and
26 subcontractors on the public works project through the
27 inclusion of appropriate bid specifications in all
28 relevant bid documents; and

29 (10) require all contractors and subcontractors on
30 public works projects to sign the applicable master
31 collective bargaining agreements with the labor
32 organizations having jurisdiction over the type of work
33 performed.

1 Section 20. Justification for project labor agreement.
2 Any decision to use a project labor agreement in connection
3 with a public works project by a State agency, authority, or
4 instrumentality shall be supported by a written, publicly
5 disclosed finding by the agency, authority, or
6 instrumentality setting forth the justification for use of
7 the project labor agreement.

8 Section 25. Implementation. All State agencies,
9 authorities, and instrumentalities must ensure that all
10 public works projects are implemented in a manner consistent
11 with the terms of this Act and are in full compliance with
12 all statutes, rules, and executive orders. In complying with
13 this Act, all State agencies, authorities, and
14 instrumentalities are encouraged to implement project labor
15 agreements when consistent with the goals set forth in this
16 Act.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.