



**Adopted in House Comm. on Feb 24, 2005**

09400HB0915ham001

LRB094 03798 RLC 41468 a

1 AMENDMENT TO HOUSE BILL 915

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 915 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Project Labor Agreement Act.

6 Section 5. Purposes. The General Assembly finds that:

7 (1) The State of Illinois has a compelling interest in  
8 awarding public works contracts so as to ensure the highest  
9 standards of quality and efficiency at the lowest responsible  
10 cost.

11 (2) A project labor agreement, which is a form of pre-hire  
12 collective bargaining agreement covering all terms and  
13 conditions of employment on a specific project, can ensure the  
14 highest standards of quality and efficiency at the lowest  
15 responsible cost on appropriate public works projects.

16 (3) The State of Illinois has a compelling interest that a  
17 highly skilled workforce be employed on public works projects  
18 to ensure lower costs over the lifetime of the completed  
19 project for building, repairs, and maintenance.

20 (4) Project labor agreements provide the State of Illinois  
21 with a guarantee that public works projects will be completed  
22 with highly skilled workers.

23 (5) Project labor agreements provide for peaceful, orderly  
24 and mutually binding procedures for resolving labor issues

1 without labor disruption, which has historically resulted in  
2 significant losttime on construction projects.

3 (6) Project labor agreements allow public agencies to  
4 predict more accurately the actual cost of the public works  
5 project.

6 (7) The use of project labor agreements can be of specific  
7 benefit to complex construction projects.

8 Section 10. Project labor agreements required.

9 (a) On a project-by-project basis, a State department,  
10 agency, authority, board, or instrumentality that is under the  
11 control of the Governor shall include a project labor agreement  
12 on a public works project where the department, agency,  
13 authority, board, or instrumentality has determined that such  
14 agreement advances the State's interests of cost, efficiency,  
15 quality, safety, timeliness, skilled labor force, and labor  
16 stability or the State's policy to advance minority-owned and  
17 women-owned businesses and minority and female employment.

18 (b) Where it has been determined that a project labor  
19 agreement is appropriate for a particular public works project,  
20 the State department, agency, authority, board, or  
21 instrumentality responsible for implementing the project shall  
22 in good faith negotiate a project labor agreement with labor  
23 organizations engaged in the construction industry. In the  
24 event that the State department, agency, authority, board, or  
25 instrumentality and the labor organizations engaged in the  
26 construction industry ("the parties") cannot agree to the terms  
27 of the project labor agreement, the Governor shall appoint a  
28 designee to assist the parties in reaching an agreement.

29 (c) Pursuant to this Act, any project labor agreement:

30 (1) shall set forth effective, immediate, and mutually  
31 binding procedures for resolving jurisdictional labor  
32 disputes and grievances arising before the completion of  
33 work;

1           (2) shall contain guarantees against strikes,  
2 lockouts, and similar actions;

3           (3) shall ensure a reliable source of skilled and  
4 experienced labor;

5           (4) shall further public policy objectives as to  
6 improved employment opportunities for minorities and women  
7 in the construction industry, to the extent permitted by  
8 State and federal law;

9           (5) shall permit the selection of the lowest qualified  
10 responsible bidder, without regard to union or non-union  
11 status at other construction sites;

12           (6) shall be made binding on all contractors and  
13 subcontractors on the public works project through the  
14 inclusion of appropriate bid specifications in all  
15 relevant bid documents; and

16           (7) shall include such other terms as the parties deem  
17 appropriate.

18           (d) Any decision to use a project labor agreement in  
19 connection with a public works project by a State department,  
20 agency, authority, board, or instrumentality shall be  
21 supported by a written, publicly disclosed finding by such  
22 department, agency, authority, board, or instrumentality  
23 setting forth the justification for use of the project labor  
24 agreement.

25           (e) All State departments, agencies, authorities, boards,  
26 and instrumentalities shall ensure that all public works  
27 projects are implemented in a manner consistent with the terms  
28 of this Act and are in full compliance with all statutes,  
29 regulations, and Executive Orders.

30           (f) Nothing in this Act shall be construed to contravene  
31 any State or federal law or to jeopardize the State's  
32 entitlement to federal funding. If any provision of this Act or  
33 its application to any person or circumstance is held invalid  
34 by any court of competent jurisdiction, this invalidity does

1 not affect any other provision or application of this Act that  
2 can be given effect without the invalid provision or  
3 application. To achieve this purpose, the provisions of this  
4 Act are declared to be severable.

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.".