

Why Do Unions Need a Sweetheart Deal

BY DANIEL HOGAN

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If non-Union construction had a history of paying fairly, ensuring safe working conditions, or adequately training their workforce then a “sweetheart deal” would be entirely unnecessary.

In an article published by Fox Business on August 18th, 2022, entitled “Sweetheart union deal will undermine Inflation Reduction Act’s clean energy agenda,” Associated Builders and Contractors (ABC) Vice President of regulatory, labor and state affairs, Ben Brubeck made several odd observations and conclusions. While his criticism of the IRA may be warranted, his op-ed seems to contain a troubling agenda or at least a global misunderstanding as to where those problems lie.

Mr. Brubeck states, “this policy is a brazen attempt to leverage federal tax policy to boost union membership.” He also makes multiple references to the Davis-Bacon legislation and Union apprenticeship programs. It is these comments that are at the core of Mr. Brubeck’s misunderstanding.

The Davis-Bacon Act of 1931, simply put, mandates that all publicly funded work pays its contractors and subcontractors “prevailing wage.” This legislation, which Mr. Brubeck takes issue with, protects workers from exploitation. It prevents employers from cutting costs by way of reducing wages below the standard of the area where the work is performed. Likewise, the “government-registered apprenticeship programs” (GRAPs) he references are programs to ensure that people performing work are well-trained and prepared with the appropriate skills and safety protocols to complete a job.

Mr. Brubeck is correct that Union contractors and Union workers benefit from legislation and policy that incentivizes GRAPs and the paying of prevailing wage. However, these benefits are not exclusive to the Union. They are not “devastating” or exclusionary to anyone.

Despite this fact, Mr. Brubeck claims

that adherence to these requirements will be “especially devastating to local, small, veteran-, disabled-, women- and minority-owned contractors and their workers,” but that implies those groups, along with his cited 87% non-Union work force, will be “devastated” by making sure their workers are well-trained, prepared, and fairly compensated for their work.

The one aspect of his argument we can all agree on is that the construction industry needs more people. Ensuring those individuals who join our industry are well trained and paid a living wage are the logical incentives to help recruit a new generation of career construction workers.

It seems unlikely that a Vice President for the ABC, an organization that claims to be built upon the foundation of “delivering work safely, ethically, and profitably” wouldn’t understand that GRAPs and Davis-Bacon are assurances of ethicality and safety. Which leaves the “devastation” he references limited to “profitability.”

Like any organization, Mr. Brubeck wants what is best for his membership. Something all associations stand for. But when you look through the rhetoric of his claims, expound on the programs and requirements he dismisses, and dig-deep into his comments, the ABC is upset that they can’t underpay and undertrain their workforce to maximize the profitability and pad their members’ profit margin.

The question then becomes, is this really a “sweetheart deal” as he calls it, or a “brazen attempt to.... Boost Union membership?” Or is it an outward requirement

by President Biden to ensure well-trained and ethically compensated workers are the ones fulfilling his ambitious mandate.

All elements at issue for Mr. Brubeck and the ABC have one thing in common; they put individual workers first. The superior safety record of Union Labor? He does not want to talk about that. The job performance of Union v. Non-Union job sites? No, he does not bring those up either. The product and the process are not at issue. No, Mr. Brubeck and the ABC take issue with Unions prioritizing people.

Davis-Bacon and Union apprenticeship programs, all prioritize people. Davis-Bacon ensures that workers are fairly compensated. Apprenticeship programs allow for individual workers to safeguard their livelihood and ensure a long-term and successful career. For businesses, they are a reputable tool to ensure a safe, skilled, and qualified workforce.

If non-Union construction had a history of paying fairly, ensuring safe working conditions, or adequately training their workforce then a “sweetheart deal” would be entirely unnecessary. Mr. Brubeck’s comments confirm we still need safeguards to prevent putting profits over people.

Our industry will not be successful unless we ensure our workforce returns home safely every night, and is prepared for a long and successful career. Union Contractors and their partners in organized labor put people before profits and we don’t see what is so “devastating” about that? ■