



COLLECTIVE BARGAINING in CONSTRUCTION

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QUALITY. INTEGRITY. PROFESSIONALISM

Basics of Collective Bargaining

- 8(f) vs. 9(a) Agreements
- Right to Work Impact
- Impact on/by Prevailing Wage
- PLA/CBA Relationship



Basics of Collective Bargaining (2)

- **Party Representatives**
- **Subjects of Bargaining (mandatory vs. permissive)**
 - **Wages, terms & conditions**
 - **Retirement**
 - **Healthcare**
 - **Apprenticeship**
 - **Dispute resolution**
 - **Work Rules**

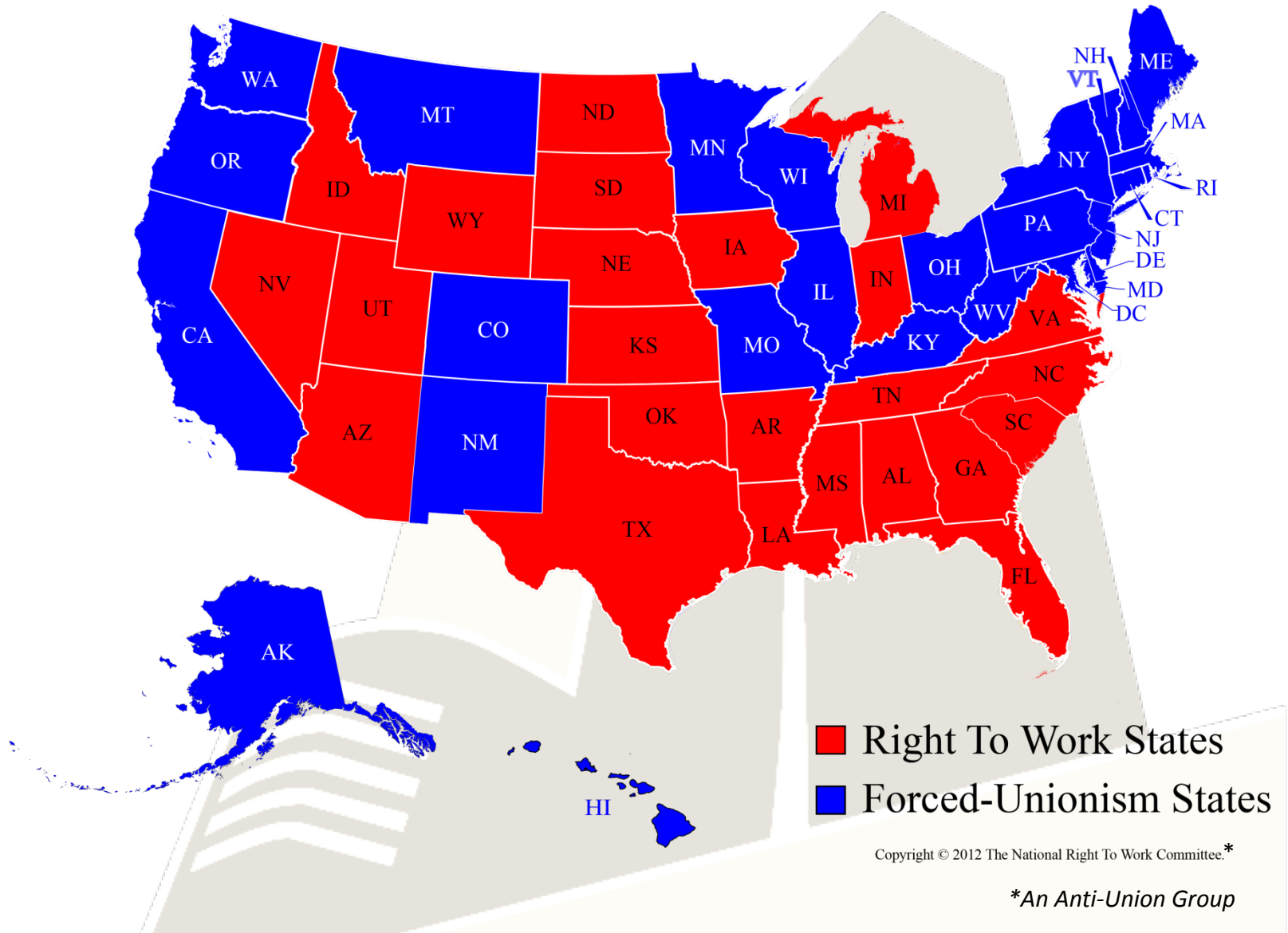
8(f) vs. 9(a) Agreements



Section 8(f) Agreement: No duty to bargain a successor agreement; contractor signatory to an 8(f) agreement can “walk away” from a union relationship when the existing agreement expires; may unilaterally establish new terms and conditions of employment to be offered to employees without bargaining.

Section 9(a) Agreement: Duty to bargain a successor agreement to impasse; no ability to walk away from the union relationship.

Right to Work Impact



Impact on/by Prevailing Wage



Level Playing Field?

Ohio

Bargained Wage \approx Ohio Prevailing Wage

Federal (Davis-Bacon)

Wage Survey \approx Federal Prevailing Wage

- Market Composition Matters
- Contractor Survey Completion Matters

PLA Impact

- No Strike ← PLA → All Union Workers
- ~~Bargaining Leverage~~
- Site-Specific
 - all union contractors?
 - all local contractors?
- Bargaining Override
 - “Where there is a conflict, the terms and conditions of this Agreement shall supersede and override terms and conditions of any and all other national, area, or local collective bargaining agreements...”

Bargaining Leverage: Workers Strike

**EXPECT
DELAYS**



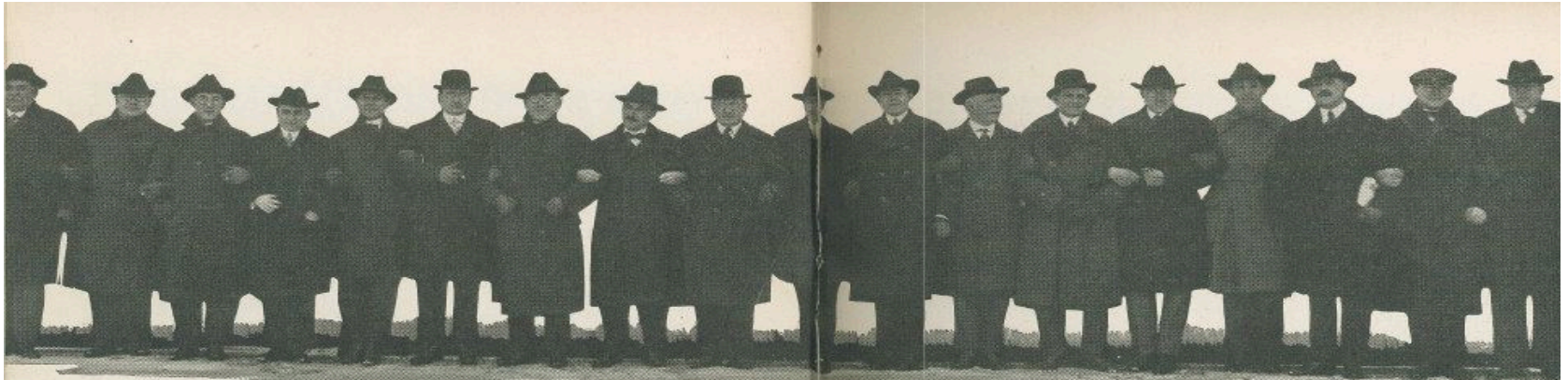
Bargaining Leverage: Workers Strike

- Worker:

Increased \$\$ Offered Post-Strike	Multiplied By	Future Hours Worked	Less	Lost Pay During Strike
\$.25/hour/year	X	2000/year	--	40 hrs. @ \$30/hr.
	\$500		--	\$1,200
First Year: Net Loss of \$700				
Second Year: Net Loss of \$200				
Third Year: Net Gain of \$1,800				
How much of the “gain” goes directly to Pension / Health Plan?				

- How long can you go without a paycheck?

Bargaining Leverage: Contractors Lockout



Reading from left to right—J. W. Chrisford, George F. Thesmacher, L. L. Skeel, Lee H. Gould, J. M. Saunders, C. F. Enick, C. S. Brookins, George D. Cornell, Howard H. Edmonds, Wm. F. Hennessy, M. L. Crowell, William P. C. Hausen, Karl H. Pratt, Charles D. Jamieson, F. E. Apple, Charles S. Bonnell, George Donley, George Halter

—LINK UP!

Talk It Over With a Friend

Do you know someone in the committee pictured above? If you do, talk over the question of membership with him. A contractor who is already IN is best able to tell WHY he is a member and why YOU SHOULD BE.



JOIN the
BUILDING TRADES EMPLOYERS ASSOCIATION

BUILDERS EXCHANGE, CLEVELAND

RIP VAN WINKLE on Euclid Avenue would not be any more out-of-date than the man who thinks he can solve all his labor problems by himself in the year 1920.

The building trades workmen are united, locally and nationally.

A united body of building trades employers is needed to further the interests of building contractors. Besides this, the Association will—

insure arbitration of disputes.

Recruit labor in time of shortage.

Stabilize labor costs.

Give members preference in awarding contracts.

Secure preference from architects, engineers, owners.

Build with us for 100 percent membership of building trades employers.

Bargaining Leverage: Who Wins?

- Contractor:
 - Association Members Have Committed to Solidarity in Bargaining → Honor/Loyalty
 - No “interim”, “short-form” or other side agreements with the Union to avoid the strike
 - One struck → Others lockout
 - Have you planned ahead?
 - Contractual damages for delay / work stoppage exemption?
 - Work progress / project phases?
 - Does your client know ahead of time and support you?

CEA-Bargained Trades

TRADE CONTRACTS CEA BARGAINS

1. Bricklayers #5,
2. Bricklayers #16
3. Bricklayers #40 & 46
4. Carpenters IKORCC (Building & Heavy Hwy.)
5. Carpenters IKORCC (Office Systems)
6. Carpenters IKORCC (Residential)
7. Carpenters IKORCC (Residential Floor Layers)
8. Cement Masons #404
9. Glaziers #181
10. Iron Workers #17
11. Laborers #310
12. Laborers #758
13. Marble, Terrazzo, Tile #5
14. Millwrights IKORCC
15. Pile Drivers IKORCC
16. Plasterers #80
17. Operating Engineers #18

18. Sheet Metal Workers #33 - Vermilion
19. Roofers #44
20. Tapers #6
21. Tile Layers #36
22. Tile, Marble, Terrazzo Finishers #36/5

OTHER TRADE CONTRACTS

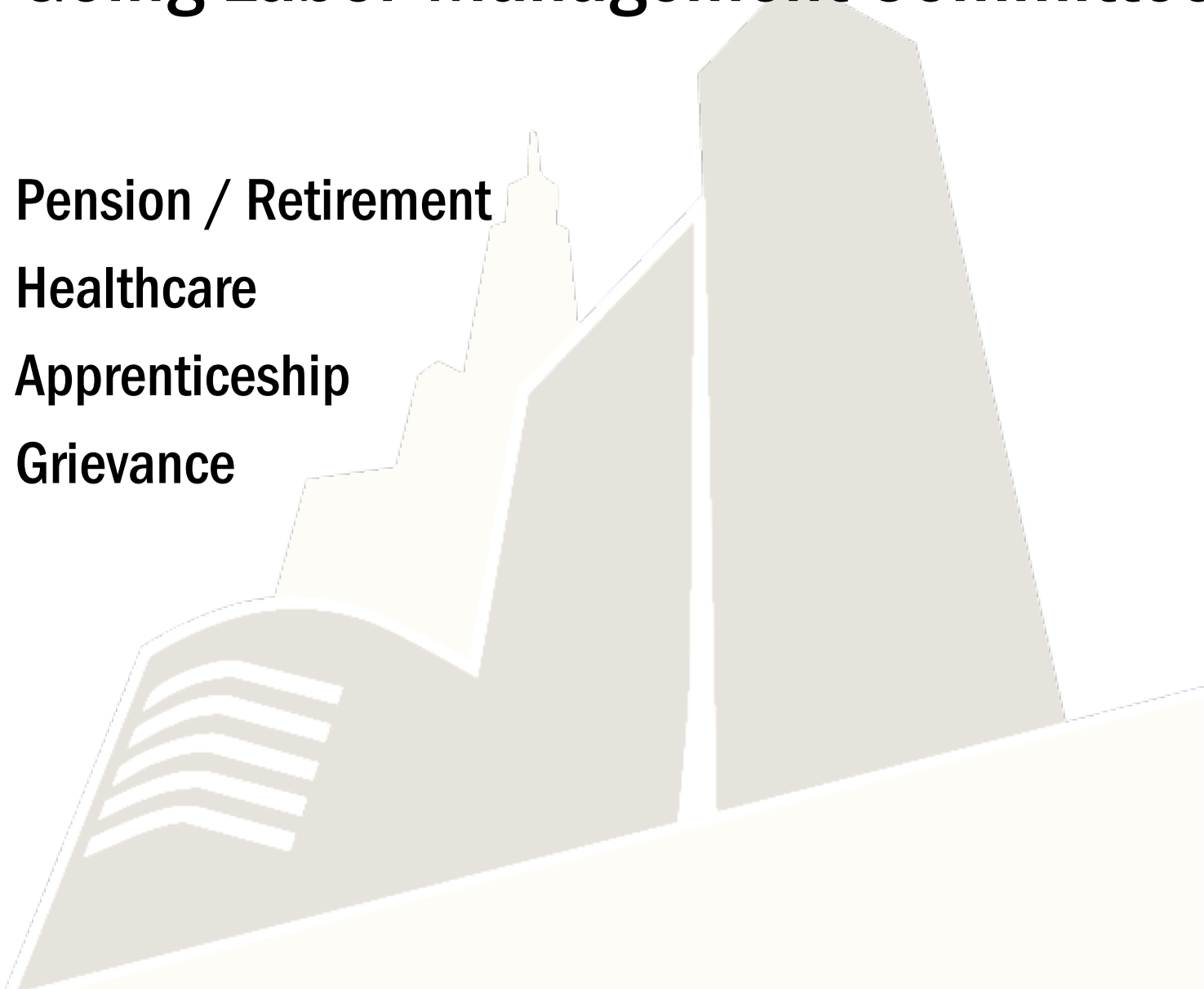
1. Asbestos Workers
2. Boilermakers
3. Electricians – (NECA)
4. Painters – (NOPTCA)
5. Pipe Fitters – (MAPIC)
6. Plumbers – (MAPIC)
7. Sheet Metal Workers – Cleveland – (SMACNA Cleveland)
8. Teamsters

CEA Bargaining Process

- Labor Steering Committee
- Bargaining Committees by Trade
- Assignments of Bargaining Rights / Termination of Agreement
- Negotiation Meetings
- Impasse
- Strikes / Lockouts
- Interim Agreements
- Settlement
- Ratification

On-Going Labor-Management Committees

- Pension / Retirement
- Healthcare
- Apprenticeship
- Grievance





Thank You