



## Legislation Details (With Text)

**File #:** 21-0048      **Version:** 0      **Name:** Construction Projects - Project Labor Agreements  
**Type:** Ordinance      **Status:** Withdrawn  
**File created:** 3/8/2021      **In control:** Baltimore City Council  
**On agenda:**      **Final action:** 6/24/2024  
**Enactment date:**      **Enactment #:**

**Title:** Construction Projects - Project Labor Agreements  
 For the purpose of requiring project labor agreements for certain construction projects in Baltimore City; providing for the content of those agreements; permitting the Director of Finance to waive the project labor agreement requirement under certain circumstances; allowing for rules and regulations; and defining certain term.

**Sponsors:** John Bullock

**Indexes:** Agreement, Construction, Labor, Project

**Code sections:**

**Attachments:** 1. 21-0048~1st Reader, 2. Written Testimony #1 21-0048, 3. Minority Owned Business Letter to Bullock 4.1.212 WRITTENT TESTIMONY #2, 4. Planning - 21-0048

Date	Ver.	Action By	Action	Result
6/24/2024	0	Baltimore City Council	Withdrawn	
3/11/2021	0	Baltimore City Council	Refer to Mayor's Office of Minority and Women-Owned Business Development	
3/11/2021	0	Baltimore City Council	Refer to Mayor's Office of Employee Development	
3/11/2021	0	Baltimore City Council	Refer to Minority and Women's Business Opportunity Office	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Recreation and Parks	
3/11/2021	0	Baltimore City Council	Refer to Mayor's Office of Information Technology	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Planning	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Transportation	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Public Works	
3/11/2021	0	Baltimore City Council	Refer to Dept. of General Services	
3/11/2021	0	Baltimore City Council	Refer to Dept. of Finance	
3/11/2021	0	Baltimore City Council	Refer to City Solicitor	
3/11/2021	0	Baltimore City Council	Refer to Labor Commissioner	
3/11/2021	0	Baltimore City Council	Refer to Baltimore Development Corporation	
3/8/2021	0	Baltimore City Council	Assigned	
3/8/2021	0	Baltimore City Council	Introduced	

**Explanation:** Capitals indicate matter added to existing law.  
 [Brackets] indicate matter deleted from existing law.

\* **Warning:** This is an unofficial, introductory copy of the bill.

The official copy considered by the City Council is the first reader copy.

## Introductory\*

### City of Baltimore Council Bill

Introduced by: Councilmember Bullock

A Bill Entitled

An Ordinance concerning

#### **Construction Projects - Project Labor Agreements**

For the purpose of requiring project labor agreements for certain construction projects in Baltimore City; providing for the content of those agreements; permitting the Director of Finance to waive the project labor agreement requirement under certain circumstances; allowing for rules and regulations; and defining certain term.

By adding

Article 5 - Finance, Property, and Procurement

Section(s) 25A-1 to 25A-9, to be under the new subtitle,

“Subtitle 25A. Project Labor Agreements for Construction Projects”

Baltimore City Code

(Edition 2000)

**Section 1. Be it ordained by the Mayor and City Council of Baltimore,** That the Laws of Baltimore City read as follows:

#### **Baltimore City Code**

#### **Article 5. Finance, Property, and Procurement**

#### **Subtitle 25A. Project Labor Agreements for Construction Projects**

#### **§ 25A-1. Definitions.**

(a) *In general.*

In this subtitle, the following terms have the meanings indicated.

(b) *Contractor.*

“Contractor” means a person awarded a City contract for a construction project.

(c) *Construction project.*

“Construction project” means any public works project, done at the public expense, for the construction, reconstruction, demolition, or renovation of any building or infrastructure.

(d) *Director.*

“Director” means the Director of Finance or the Director’s designee.

(e) *Person*.

“Person” means:

- (1) an individual;
- (2) a partnership, firm, association, corporation, or other entity of any kind; or
- (3) a receiver, trustee, guardian, personal representative, fiduciary, or representative of any kind.

(f) *Project labor agreement*.

“Project labor agreement” means a pre-hire collective bargaining agreement between a contractor and a labor organization that establishes the labor organization as the collective bargaining representative for all persons who will perform work on a construction project.

(g) *Subcontractor*.

“Subcontractor” means any person, other than the contractor, performing any work on the site of a construction project, whether as a subcontractor or a lower tier contractor.

**§ 25A-2. Scope.**

This subtitle applies to:

- (1) any proposed contract for a construction project valued at \$25 million or more; and
- (2) any long-term capital improvement plan that involves construction projects at multiple locations, provided that the aggregate construction costs of all the projects are valued at \$15 million or more.

**§ 25A-3. {Reserved}**

**§ 25A-4. Use of project labor agreements.**

The Director shall require, as part of a solicitation for a construction project, that a contractor agree to negotiate or become a party to a project labor agreement for that project.

**§ 25A-5. Contents of project labor agreements.**

Any project labor agreement agreed to under this subtitle shall:

- (1) bind all contractors and subcontractors engaged for the construction project;
- (2) contain guarantees against strikes, lockouts, and similar work disruptions;
- (3) provide for effective, prompt, and mutually binding procedures for resolving labor disputes arising during the agreement’s term;

- (4) provide other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health; and
- (5) include any additional requirements that the Director considers necessary to promote the interests of the City.

§ 25A-6. *{Reserved}*

§ 25A-7. **Waiver.**

(a) *In general.*

Subject to subsection (b) of this section, the Director may waive the requirements of this subtitle by issuing a written determination, posted on the Department of Finance’s website for at least 10 calendar days prior to advertising a solicitation for a construction project.

(b) *Findings.*

In order to waive the requirements of this subtitle, the Director must find that:

- (1) the use of a project labor agreement will not advance the City’s interest in:
  - (i) producing and maintaining labor-management stability; and
  - (ii) ensuring compliance with laws and regulations governing occupational health and safety, equal employment opportunity, labor and employment standards, and other related matters; and
- (2) the construction project will not require multiple contractors or subcontractors that employ individuals in multiple crafts or trades.

§ 25A-8. *{Reserved}*

§ 25A-9. **Rules and regulations.**

Subject to Title 4 {“Administrative Procedure Act - Regulations”} of the General Provisions Article, the Director may adopt rules and regulations to carry out the provisions of this subtitle.

**Section 2. And be it further ordained,** That the catchlines contained in this Ordinance are not law and may not be considered to have been enacted as a part of this or any prior Ordinance.

**Section 3. And be it further ordained,** That this Ordinance takes effect on the 30<sup>th</sup> day after the date it is enacted.