



Legislation Text

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**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.