

For Immediate Release

Dateline: Harrisburg, PA

Time: 12:30pm;Tuesday, December 8, 2009

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Pennsylvania Building Trades Council hails Commonwealth Court decision upholding Project Labor Agreement at Graterford SCI

A decision by the Commonwealth Court of Pennsylvania has upheld a Letter of Commitment between the Pennsylvania Building and Construction Trades Council and the state's Department of General Services (DGS) which permitted a Project Labor Agreement (PLA) aimed at assuring fair labor standards and adequate numbers of skilled workers for construction of a 4,100 bed, \$400 million prison project at Graterford Prison in Montgomery County.

A group of contractors which are members of the Associated Builders and Contractors of Pennsylvania (ABC), as well as the Keystone, Central Pennsylvania, Western Pennsylvania, Southeastern Pennsylvania, and Eastern Pennsylvania Chapters of the Associated Builders and Contractors, had sought injunctive relief from the Court to prevent the DGS from entering into any PLAs for state-funded construction projects. The ABC has vehemently opposes PLAs for economic reasons.

Frank Sirianni, the President of the Building and Construction Trades Council, praised Commonwealth Court Judge Dan Pellegrini for authoring a decision that "repudiates the misinformation about PLAs being circulated by the Associated Builders and Contractors and their legislative allies." According to Sirianni, the decision reaffirmed what many other judicial decisions in Pennsylvania and across the country have already repeatedly concluded – that PLAs can be beneficial on government funded building projects because they guarantee on-time completion of construction projects without diminishing community standards for working conditions and quality of workmanship.

"Judge Pellegrini was right to conclude that the evidence of the value of a PLA at the Graterford SCI project far outweighs the self serving objections of the ABC and the other objectors," said Sirianni. "This decision is one of a long line of decisions from around the country that consistently repudiate the misinformation about PLAs being circulated by the Associated Builders and Contractors and their legislative allies. It destroys the rationale for legislation in Pennsylvania that would prohibit our public

bodies from negotiating contracts that are in the best interest of the taxpayers who are paying the bill.”

Sirianni said that the PLA at Graterford SCI guarantees more job opportunities for Pennsylvania workers and contractors. The PLA, he said, also allows contractors to access a pool of skilled and qualified local workers, eliminating the incentive for importing unskilled and many times undocumented workers that out-of-state contractors often use to undercut the bidding process on publicly funded projects.

“This decision also confirms our Council’s belief that the greedy and unscrupulous contractors and chapters of the ABC should be punished for filing frivolous lawsuits the only purpose of which is to enhance their ability to line their own pockets with taxpayers dollars by exploiting unskilled and undocumented workers from other states in order to win construction bids that result in shoddy workmanship, completion delays and a race to the bottom,” said Sirianni.

Contrary to the assertions of the ABC that such agreements “discriminated” against non-union contractors, Sirianni noted that the Commonwealth Court decision validated a study done by the Keystone Research Center which showed that the discrimination claim is groundless. The Center’s study, affirmed by the Pelligrini decision, also concluded that a PLA at Graterford would more likely result in greater efficiency, lower costs to taxpayers and on-time delivery of the completed project.

“The fact of the matter is that many non-union contractors here in Pennsylvania and all over the country bid on projects with PLAs and win those bids,” said Sirianni. “They then go on to complete those projects using local crafts people and still earn a reasonable profit. They do this because PLAs work. It is clear from this case that the ABC and their legislative allies are not really interested in creating jobs for Pennsylvania skilled crafts people. They are more interested in finding ways to line their pockets with our tax dollars and with as little protection of our community standards as possible.”

For more information on Project Labor Agreements, fairness to our communities, or to read the Commonwealth Court decision, go to the Council’s web site at www.pabuildingtrades.org or contact the Pennsylvania Building and Construction Trades Council at 717-233-5726.