

Office of the Governor of Iowa

Governor Branstad (<https://governor.iowa.gov/>)

Judge dismisses unions' lawsuit challenging Executive Order #69

September 7, 2011

Judge John A. Jarvey, U.S. District Court Southern District of Iowa, [dismissed all of the trade unions](https://governor.iowa.gov/wp-content/uploads/2011/09/Order-Granting-Motion-to-Dismiss.pdf) (<https://governor.iowa.gov/wp-content/uploads/2011/09/Order-Granting-Motion-to-Dismiss.pdf>) claims today in a lawsuit challenging Executive Order 69 (EO #69) signed by Governor Branstad.

[EO # 69](https://governor.iowa.gov/wp-content/uploads/2011/03/Exec_Order_69.pdf) (https://governor.iowa.gov/wp-content/uploads/2011/03/Exec_Order_69.pdf) prohibits the use of project labor agreements (PLAs) for publicly-funded construction project.

Judge Jarvey found "EO #69 establishes funding conditions that serve the State's proprietary interest in projects. In prohibiting PLAs, the State of Iowa has made a decision that PLAs detract from a competitive bidding environment and that state funds and state projects will benefit from eliminating coercive union tactics. The State, as the proprietor of its construction projects, can make the decision not to pay union wages or operate under union conditions."

"Dick Sapp, Frank Harty and Ryan Koopmans of the Nyemaster law firm worked tirelessly to get the case dismissed at the earliest point in time before going to trial, saving the state of Iowa tens of thousands of dollars in litigation costs that the state would have incurred due to the lawsuit brought by the unions," said Jeff Boeyink, Gov. Branstad's chief of staff.

Mr. Sapp and Mr. Koopmans are also lead counsel on the case brought by AFSCME and Democratic leadership challenging the governor's line item veto authority.

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← [2,977 flags to be placed on the Capitol grounds today to remember victims of 9/11; Branstad announces remembrance ceremony lineup](https://governor.iowa.gov/2011/09/2977-flags-to-be-placed-on-the-capitol-grounds-today-to-remember-victims-of-9/11; Branstad announces remembrance ceremony lineup) (<https://governor.iowa.gov/2011/09/2977-flags-to-be-placed-on-the-capitol-grounds-today-to-remember-victims-of-911-branstad-announces-remembrance-ceremony-lineup/>) [Gov. Terry Branstad orders flags to fly at half-staff in honor of Iowa service members who have lost their lives since 9/11](https://governor.iowa.gov/2011/09/qov-terry-branstad-orders-flags-to-fly-at-half-staff-in-honor-of-iowa-service-members-who-have-lost-their-lives-since-911) → (<https://governor.iowa.gov/2011/09/qov-terry-branstad-orders-flags-to-fly-at-half-staff-in-honor-of-iowa-service-members-who-have-lost-their-lives-since-911/>)

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