



Rebutting Misleading and Untrue Statements Union Lobbyists Make about Project Labor Agreements (PLAs)

- **From union talking points circulated to offices on the Hill:** *“If the Department of Defense can NOT [sic] require or prohibit the use of a PLA, then they can’t use them at all.”* This is untrue and misleading. The Bartlett amendment simply creates a scenario in which the firm that wins the bid is allowed to choose if it would prefer to use a PLA or not. The Bartlett amendment removes government bureaucrats and special interests from the equation. When the government elects to use a PLA on a project, they are effectively saying “The eighty-six percent of all U.S. construction industry workers who freely choose not to join a union are not welcome to work on this project.”
- **The language of the Bartlett amendment DOES NOT prohibit the use of a PLA on any project authorized by the National Defense Authorization Act for FY 2013 (NDAA) (H.R. 4310).** It DOES prohibit government bureaucrats from *mandating or prohibiting* the use of a PLA, and instead leaves that decision to the company selected to perform the project. The Bartlett amendment is not anti-union; it is pro-fairness, pro-competition and respects protections guaranteed by the National Labor Relations Act. **There is nothing in current law, Rep. Bartlett’s amendment or H.R. 4310 that would prevent a federal contractor from voluntarily entering into a PLA on a federal construction project authorized by the NDAA.**
- **The assertions made regarding PLAs “upholding security on military installations” would be laughable if they weren’t so offensive and intentionally misleading.** PLAs do not “guarantee” the use of E-verify. E-verify already is mandated on ALL federal construction projects, PLA or not. Union handouts, such as PLA mandates, do nothing to “uphold” security on military installations.
- **PLAs DO effectively require a union-only workforce.** Anyone who says anything to the contrary is being intentionally deceptive. PLAs typically require that workers on projects join a union and/or pay into union benefit programs as a condition of working on the project. In rare instances, nonunion workers are eligible to work on PLA projects, but they must first go to a union hiring hall. In many cases, nonunion workers hired through union halls will never receive benefits from the union programs they were forced to pay into while working on a PLA project.
- **Some Fortune 500 companies have used PLAs on major projects, though most usually choose not to use PLAs.** Private companies often will choose to use a PLA in high union density areas in order to avoid union bannering, pickets and other forms of harassment. Private enterprises have the right to make that choice.
- **Union-scale wages and benefits already are mandated on federal projects authorized by the NDAA via the Davis-Bacon Act with or without a PLA.** Accusations that the effort to prevent government-mandated PLAs is about driving down construction industry wages are completely false. The Bartlett amendment will deliver cost savings as a result of increased competition and reduced waste and inefficiency.
- **The Bartlett amendment attempts to limit cronyism in federal contracting and lets the free market—rather than powerful special interests—pick winners and losers.**