**With anti-competitive and costly legislation making its way through the democrat-controlled General Assembly, ABC Virginia needs your help**.

Democratic leadership in the Virginia Senate and House of Delegates are poised to swiftly pass legislation at the expense of Commonwealth taxpayers who finance the construction and maintenance of schools, affordable housing roads, bridges and other infrastructure projects in disrepair.

Legislation introduced by Sen. Saslaw ([SB 182](http://lis.virginia.gov/cgi-bin/legp604.exe?ses=201&typ=bil&val=sb182)) and Del. Lopez ([HB 358](http://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+HB358)), will eliminate Virginia’s Fair and Open Competition statute restricting government-mandated project labor agreements, which will allow state and local governments to mandate PLAs on public works construction projects.

In addition, legislation introduced by Sen. Saslaw ([SB 8](https://lis.virginia.gov/cgi-bin/legp604.exe?201+sum+SB8)) and Del. Carroll Foy ([HB 833](http://lis.virginia.gov/cgi-bin/legp604.exe?201+bil+HB0833)) would result in prevailing wage requirements on construction projects at rates set by the U.S. Department of Labor, via the 1931 Davis-Bacon Act. As amended, Sen Saslaw’s bill sets a threshold of $250,000 on all state construction projects. And as amended on Feb. 6, 2020, Del. Carroll Foy’s bill requires prevailing wages on all state construction projects and allows localities to pass an ordinance requiring prevailing wages on local projects.

Virginia residents can contact their lawmakers through this grassroots campaign:
<https://www.votervoice.net/ABC/Campaigns/70962/Respond>

Alternatively, stakeholders with employees, offices and contracts in Virginia can copy the below message and email it to the following Senate Democratic lawmakers we are targeting:

|  |  |  |  |
| --- | --- | --- | --- |
| **Senator** | **Email Address** | **Party** | **District#** |
| Monty Mason | district01@senate.virginia.gov | D | 1 |
| Mamie E. Locke | district02@senate.virginia.gov | D | 2 |
| Lionell Spruill, Sr. | district05@senate.virginia.gov | D | 5 |
| Lynwood W. Lewis, Jr. | district06@senate.virginia.gov | D | 6 |
| Jennifer L. McClellan | district09@senate.virginia.gov | D | 9 |
| Ghazala F. Hashmi | district10@senate.virginia.gov | D | 10 |
| John J. Bell | district13@senate.virginia.gov | D | 13 |
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| John S. Edwards | district21@senate.virginia.gov | D | 21 |
| R. Creigh Deeds | district25@senate.virginia.gov | D | 25 |
| Jeremy S. McPike | district29@senate.virginia.gov | D | 29 |
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| J. Chapman Petersen | district34@senate.virginia.gov | D | 34 |
| Richard L. Saslaw | district35@senate.virginia.gov | D | 35 |
| Scott A. Surovell | district36@senate.virginia.gov | D | 36 |
| David W. Marsden | district37@senate.virginia.gov | D | 37 |
| George L. Barker | district39@senate.virginia.gov | D | 39 |

Please share this action alert with colleagues and friends who will be negatively impacted by these bills. Together, we can make a difference and keep Virginia competitive by educating lawmakers and the public about how these bills will increase costs and hurt the local and state economy.

**Tell Virginia lawmakers to reject these harmful bills today!**

**Message to Virginia Lawmakers:**

**Subject: Reject Bills Harmful to Virginia’s Taxpayers and Construction Industry (SB 182/HB 358 and SB 8/HB 833)**

As a member of Associated Builders and Contractors of Virginia and Virginia's construction industry, I am writing to tell you how proposed anti-competitive and costly legislation will harm Virginia's small businesses, kill jobs for Virginia's skilled construction workforce and needlessly force taxpayers to pay more for fewer construction projects.

Legislation introduced by Sen. Saslaw (SB 182) and Del. Lopez (HB 358) will eliminate Virginia's Fair and Open Competition statute restricting government-mandated project labor agreements – or PLAs—and allow state and local governments to mandate anti-competitive and costly PLAs on public works construction projects procured by state and local governments.

When mandated by governments, PLAs prevent nonunion contractors and subcontractors—which employ 97.8% of Virginia's construction workforce—from building and working on projects funded by taxpayer dollars.

Government-mandated PLAs force contractors to follow union work rules and hire most or all workers on a jobsite from specified union hiring halls and union apprenticeship programs instead of journeyman and apprentices already employed by their company. That limits the pool of bidders, since nonunion contractors and even some union contractors don't want to abandon their existing employees and quality-control practices—key components of a safe and productive workplace—for strangers from union halls governed by unfamiliar rules.

Government-mandated PLAs also cause nonunion workers (and some union workers) to lose an estimated 20% in wages and benefits unless they join a specific union, pay membership dues and meet the union benefits plan's vesting requirements. It's a form of wage theft that will harm working families employed in Virginia's construction industry, as well as Virginia taxpayers.

For these reasons, a total of 25 states—including Virginia in 2012 (HB 33)—have passed measures prohibiting government-mandated PLAs on public works projects, thereby ensuring fair and open competition on taxpayer-funded construction projects so the public can get the best possible construction project at the best possible price.

In short, the proposed legislation will allow state and local governments to harm Virginia's small businesses, kill jobs for Virginia's skilled construction workforce and needlessly force taxpayers to pay 12% to 18% more for construction projects likes schools, affordable housing, roads, bridges and other infrastructure needs when PLAs are mandated. Virginia lawmakers should be creating opportunities for all Virginians to rebuild their communities instead of only well-connected special interests.

In addition, legislation introduced by Sen. Saslaw (SB 8) and Del. Carroll Foy (HB 833) would result in prevailing wage requirements on public works construction projects at rates set by the U.S. Department of Labor, via the 1931 Davis-Bacon Act.

As amended, Sen. Saslaw’s bill requires the payment of prevailing wages on all state construction projects greater than $250,000. And as amended, Del. Carrol Foy’s bill requires payment of prevailing wages on all state construction projects and permits localities to adopt ordinances requiring prevailing wages on local projects.

Unfortunately, the U.S. Government Accountability Office has concluded DOL's wage determination process is unscientific and fundamentally flawed, because it typically sets rates that are anything but local, prevailing, timely or accurate.

Coupled with reducing competition and increasing compliance and regulatory burdens on businesses, it is no surprise the track record of prevailing wage laws in other states suggests it will result in increased construction costs from 10% to 25% that Virginia simply cannot afford.

The net impact of both of these proposals is that it will lead to tax hikes or fewer public works construction projects in Virginia, needlessly increase construction costs and steer contracts to out-of-state unionized businesses and unionized workers at the expense of 97.8% of Virginia’s construction workforce.

I'd welcome the opportunity to discuss these important issues with you further as you evaluate this proposed legislation and urge you to oppose these measures. Thank you for your consideration.