

**SAN FRANCISCO PUBLIC UTILITIES COMMISSION
INFRASTRUCTURE CONSTRUCTION
MANAGEMENT PROCEDURES**

**SECTION: SFPUC INFRASTRUCTURE
CONSTRUCTION MANAGEMENT**

APPROVED: 

PROCEDURE NO: 044

DATE: 6/7/2019

**TITLE: PROJECT LABOR AGREEMENT
(PLA)**

REVISION: 1

1.0 Policy

A Project Labor Agreement (PLA) is implemented on some SFPUC Capital Improvement Programs for each construction contract within the identified program.

This SFPUC Infrastructure Construction Management (CM) Procedure applies to all personnel working on SFPUC Infrastructure Projects during construction to the extent that their work is affected by this CM Procedure and does not conflict with specific SFPUC policies or the Contract under which the Work is executed.

2.0 Description

This SFPUC Infrastructure CM Procedure specifies the requirements for executing PLAs. The purpose of the PLA is to promote efficiency of construction of specific SFPUC Infrastructure projects ("the Project") by facilitating communication, education and partnerships among the SFPUC, craft unions, Contractors, and contract-enforcement agencies to identify and resolve issues, to enhance understanding and compliance with the labor-related policies and regulations, and to provide for peaceful settlement of labor disputes and grievances without strikes or lockouts, thereby promoting the public interest in assuring the timely and economical completion of the Project.

3.0 Definitions

3.1 Project Labor Agreement – Letter of Assent

For projects included in the PLA, the Contractor and all Subcontractors, regardless of tier, must sign a Letter of Assent to the PLA to be awarded the Project Contract. This letter binds the Contractor and all

Subcontractors to the terms, including amendments and supplements (if any), of the PLA. It does not bind any Contractor to a union agreement.

3.2 Project Labor Agreement (PLA)

The PLA provides the framework and guidelines for the SFPUC, the Contractor, all Subcontractors, the applicable craft unions, and the contract-enforcement agencies to identify and resolve issues and provide peaceful settlement of labor disputes and grievances without strikes or lockouts.

3.2.1 The PLA defines the requirements for bidding including, but not limited to, application of California prevailing wages, fringe benefit payments, rest periods, substance abuse testing, trucking and attendance at the Pre-Job Conference.

3.3 Pre-Job Conference

The Pre-Job Conference is mandatory for the successful Contractor and all Subcontractors, the SFPUC Project and Program Construction Managers, and the affected Building & Construction Trades Councils.

3.3.1 Scheduled prior to the Notice-to-Proceed (NTP), the purpose of the meeting is for the Contractor and Subcontractors to inform interested construction unions of project specifics including work hours, safety & health, parking, peak craft workforce and jurisdictional assignment of respective scopes of work. Substance abuse testing and local area employment considerations are also covered in the Pre-Job Conference.

3.4 Project Labor Plan

Contractors will be required to prepare a Project Labor Plan addressing local workforce participation, recruitment and retention of apprentices, craft manpower requirements, and contingency plans to alleviate any craft shortages that might be experienced during construction.

3.4.1 The Project Labor Plan identifies the responsible person to address and resolve identified issues, as well as any grievances that might arise. The Plan is reviewed by the PLA Administrator and the RE and approved by the Senior Project Manager (SPM).

3.5 Local Area Employment

Under the PLA, consideration is given to local area workers seeking employment. Special emphasis is placed on enrolling local area residents in apprenticeship programs and providing employment opportunities on projects covered under the PLA.

3.5.1 The Program Controls and Support Group (PCSG) is responsible for providing program estimates for construction workforce demands, updated annually. This information is forwarded to the PLA Administrator, who will be responsible for working with the

Contractor and subcontractors and the affected unions to identify opportunities for local area hiring. The PLA Administrator will inform the REs and the Construction Managers of the progress of the Local Area Hiring Plan. Project Managers and/or Construction Managers might be required to participate in discussions with the Contractors to the extent deemed necessary by the PLA Administrator.

3.6 Substance Abuse Testing

Under the PLA, all new hires are required to pass a substance abuse test and be cleared for work. The Contractor is required to work with a pre-qualified third-party administrator to implement this requirement. The PLA Administrator coordinates this program.

4.0 Responsibilities

4.1 Project Labor Agreement (PLA) Administrator

The PLA Administrator is responsible for managing the implementation of and compliance with the Project Labor Agreement on behalf of the SFPUC. The PLA Administrator provides support to Contractors and to signatory unions in the PLA implementation on a specific project.

5.0 Implementation

5.1 Contract Preparation

The PLA Administrator ensures that the Project Labor Agreement and Letter of Assent are included in Contract Documents for covered SFPUC Infrastructure Projects.

5.2 Requirements Briefing

The PLA Administrator briefs the SPM and RE on the merits and requirements of the PLA and how they relate to the specific region and project.

5.3 Meeting Participations

The PLA Administrator participates in Pre-Bid and Pre-Construction Meetings to explain the PLA requirements to the Contractors and Subcontractors, chairs the Pre-Job Conferences, and participates in arbitration and mediation processes.

5.4 Pre-Job Conference

The PLA Administrator organizes and facilitates the Pre-Job Conferences in which the PLA requirements are reviewed, and work scopes are assigned to respective crafts. Pre-Job Conference topics will include:

- 5.4.1 Substance Abuse Testing: Information on substance abuse testing for general notification and pre-construction meetings will be discussed together with any issues that might arise prior to implementation on the project.
- 5.4.2 Craft Assignments: If disagreement with one or more craft assignments occur, the union and/or unions are required to file a written appeal with the Contractor and the PLA Administrator, which is then adjudicated as prescribed in the PLA.

5.5 PLA Administration

The PLA Administrator coordinates the grievance procedure on jurisdiction claims and other disputes, as prescribed in the PLA.

5.6 Employment Programs

The PLA Administrator coordinates local area employment programs as provided for in the PLA.

- 5.6.1 Works with the PCSG to develop craft workforce demands to support the project;
- 5.6.2 Works with the RE, SPM, Contractor and Subcontractors and the affected unions to identify opportunities for local area hiring;
- 5.6.3 Reports on the local area employment program status at weekly progress meetings.

5.7 Substance Abuse Testing

The PLA Administrator coordinates substance abuse testing:

- 5.7.1 The Contractor works with a pre-qualified third-party administrator to implement substance abuse testing and is responsible for certifying that all workers on the job site have passed the pre-employment drug test and have been certified for work on the project;
- 5.7.2 The PLA Administrator provides quality assurance through periodic and routine audits of test results.

6.0 Other Procedural Requirements

Substance Abuse Testing (reference PLA)

7.0 References

7.1 Technical Specifications

None

7.2 SFPUC Infrastructure CM Procedures

No. 005 Submittals

7.3 Others

The following SFPUC Documents are found in the designated Website

- Bidding Under PLA
- Letter of Assent
- Project Labor Agreements

<https://infrastructure.sfwater.org/fds/fds.aspx?lib=SFPUC&doc=217269&data=83648565>

8.0 Attachments

044 – 1 Revision Control Log

**Attachment 044 - 1
Revision Control Log**

Revision No.	Revision Date	What changed?
Rev 1	6/7/19	<ul style="list-style-type: none">• Minor format changes;• Attachments revised;• Revision Control Log updated.
Rev 0	11/14/16	Signed