



TODAY'S ACTION (MCWRA BOD)

**Consider Approving and Recommending that
the Monterey County Water Resources
Agency (MCWRA) Board of Supervisors
Approve a Project Labor Agreement for the
Interlake Tunnel and Spillway Modification
Projects; and, Authorize the Chair of the
MCWRA Board of Supervisors to execute the
Project Labor Agreement**



TODAY'S ACTION (MCWRA BOS)

Consider Approving a Project Labor Agreement for the Interlake Tunnel and Spillway Modification Projects; and, Authorizing the Chair of the Monterey County Water Resources Agency Board of Supervisors to execute the Project Labor Agreement



Purpose of This Project Labor Agreement

- Promotes efficiency of construction operations
- Provides for peaceful settlement of labor disputes and/or grievances
- Promotes Agency's interest in having timely and economical Project completion
- Secures further support of AB1585

Negotiation Session Progress

Session	Accomplishment
February 9	MCWRA Board of Supervisors Order WRAG 16-007 directed Staff to enter into negotiations for a PLA
February 12	Initial Planning meeting among Agency and Building Trades
February 22	Agency agreed to use Building Trades PLA Template
Between February 19 and March 31	<ul style="list-style-type: none">✓ Exchanged eleven (11) drafts✓ Held seven (7) multiple-hour negotiation sessions✓ Resolved 33 significant areas for negotiation
April 1	Agreement reached on final PLA document

Negotiation Principals

Water Resources Agency	Monterey/Santa Cruz Building Trades Council	Tri-Counties Building and Construction Trades Council
Jesse Avila, MCWRA	Ron Chesshire, BTC	Tony Skinner, Outside Counsel
Dave Chardavoyne, MCWRA	Jolene Kramer, Outside Counsel	Jolene Kramer, Outside Counsel
Joan Cox, Outside Counsel	Sharon Seidenstein, Outside Counsel	Sharon Seidenstein, BCTC
Ron Drake, Program Manager		
David Rosenthal, Outside Counsel		



Resolution of Remaining Significant Areas Reported on March 22, 2016

1. Availability of services with signatory trade crafts within County

Agency accepted Building Trades commitment that referred employees would be local.

2. Exclusion of Required Environmental Mitigation Agreement was reached whereby offsite-required environmental mitigation was excluded; but onsite environmental mitigation is included in the PLA.

Resolution of Remaining Significant Areas Reported on March 22, 2016 (cont'd)

3. Effectiveness of PLA

Language contained in Board Order WRAG 16-007 and requirement of a favorable 218 vote accepted by Building Trades. PLA will only apply to Design-Build contract work.

- a. At BTCS' insistence, negotiated language did not require receipt of AB1585 monies in calendar year 2016.

4. Composition of Arbitration Panel

Compromise language accepted to include two (2) Contractor-approved arbitrators.

Resolution of Remaining Significant Areas Reported on March 22, 2016_(cont'd)

5. Payment into Building Trades Benefit Plans for Non-Referral Employees

Agency accepted Building Trades position that such payments are required since thus far no California PLA was found that prohibited such payments.

6. FERC-related Requirements for Background Checks for Personnel Working at Dam Sites

Building Trades accepted Agency proposal.



Summary of Selected Key Elements of the Final Project Labor Agreement

- Goal of labor peace expressly stated
 - Affirmative union obligations (cooperation, recruitment)
 - Joint Labor Management Committee
 - No restrictions on construction methods
 - Covers only craft employees
- Agency Board Order WRAG 16-007 compliance regarding PLA effective date included
- Delineation of Covered Work
- Delineation of performance testing, repair and calibration work

Summary of Selected Key Elements of the Final Project Labor Agreement (cont'd)

- Non-discrimination, including no prohibition against non-Union labor
 - No requirement for non-Union employees to join Union
- Delineation of performance testing, repair and calibration work
 - Exclusion of specialty work
 - Exclusion of DSOD-required work
- Management Rights clause included
- Non-Referral employees
 - Can be hired if no referral employee hired within 48 hours
 - Payment by employer into Union Trust Funds required



Summary of Selected Key Elements of the Final Project Labor Agreement (cont'd)

- Contractor involvement in selection of arbitrators
- Drug testing procedures and site security requirements of regulatory agencies
- Supremacy of PLA over individual Collective Bargaining Agreements



REMAINING QUESTION

**Should Paragraph 19.3 also require Agency
receipt of AB 1585 monies
IN CALENDAR YEAR 2016
for the Project Labor Agreement to be
effective?**



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