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SENATE BILL NO. 1419

Offered January 13, 2021

A *BILL to amend and reenact § 2.2-4321.2, as it shall become effective, of the Code of Virginia, relating to project labor agreements; public interest.*

Patron—Marsden

Referred to Committee on General Laws and Technology

Be it enacted by the General Assembly of Virginia:**1. That § 2.2-4321.2 of the Code of Virginia is amended and reenacted as follows:****§ 2.2-4321.2. (Effective May 1, 2021) Public works contracts; project labor agreements authorized.**

A. As used in this section:

"Project labor agreement" means a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific public works project.

"Public body" has the same meaning as provided in § 2.2-4301.

"Public works" means the operation, erection, construction, alteration, improvement, maintenance, or repair of any public facility or immovable property owned, used, or leased by a public body.

B. Each public body, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, or when overseeing or administering such procurement, construction, manufacture, maintenance, or operation, may, in its bid specifications, project agreements, or other controlling documents:

1. Require bidders, offerors, contractors, or subcontractors to enter into or adhere to project labor agreements with one or more labor organizations, on the same or related public works projects; and

2. Require bidders, offerors, contractors, subcontractors, or operators to become or remain signatories or otherwise to adhere to project labor agreements with one or more labor organizations, on the same or other related public works projects.

C. *For contracts requiring the design or construction of a road, highway, bridge, or similar transportation improvement, a public body wishing to enter into a project labor agreement, as provided in subsection B, shall first determine by written finding that participation in such project labor agreement advances the public interest, based on objective criteria established by the public body by regulation, ordinance, or resolution that may include cost, efficiency, quality, safety, timeliness, maintenance of a skilled labor force, labor stability, or advancing minority-owned or women-owned business participation in the project.*

INTRODUCED

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