

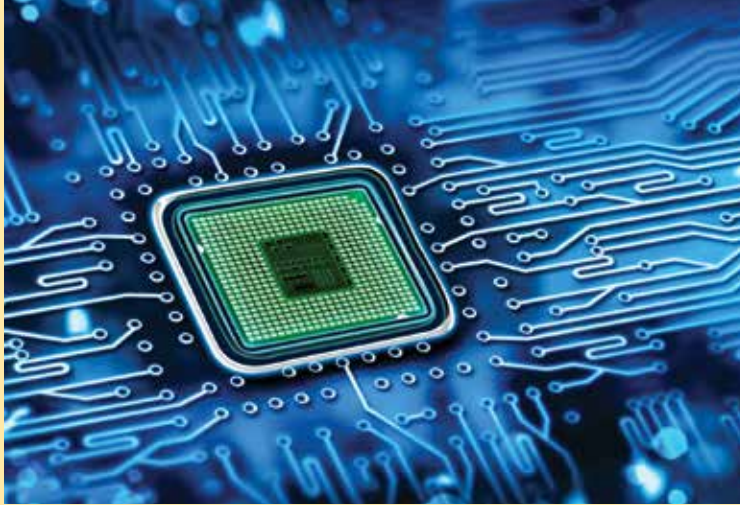
Building Trades Poised to Cash In on CHIPS Act

The Minnesota Building and Construction Trades Council (MN BCTC), along with more than 70 other government and industry organizations, recently entered into a Memorandum of Understanding (MOU) with the Minnesota CHIPS Coalition Workforce Partnership. This MOU promotes the expansion of the Minnesota semiconductor industry by pursuing federal funding through the CHIPS and Science Act (CHIPS Act) and associated state match funding.

Through this partnership, the MN BCTC is using its construction industry connections, training, and career development capabilities to expand access to registered apprenticeship programs in occupations that will support the construction and maintenance of Minnesota's new semiconductor fabrication plants. It also supports the production of semiconductors in those plants, with the result of creating a more diverse and inclusive construction workforce.

Through this MOU, the semiconductor industry is committed to prioritizing construction contractors employing union labor and meeting all labor standards attached to CHIPS Act construction projects.

Coalitions like these are a great example of industry partners coming together to pursue a shared and common goal. They also promote pathways to the middle class and strengthen our communities through unionized labor. FCF is proud to support this goal moving forward.



Welcome Aboard UA Locals 15 and 589

An industry-wide compliance effort works best when participation is broad and all-inclusive. FCF is encouraged and pleased to welcome the Plumbers Local 15 and the Iron Range's Plumbers and Pipefitters Local 589 to our affiliation. This Fall, both local unions decided to join FCF and fill any gaps that might have existed in our statewide effort to enforce labor standards.

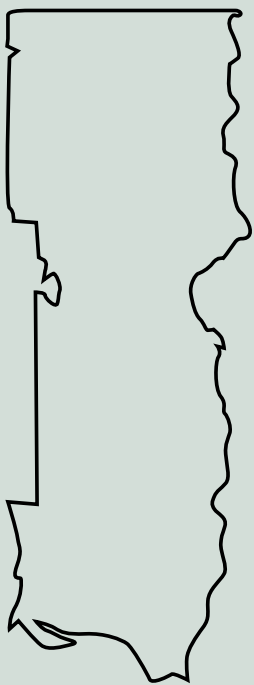
Welcome aboard, pipe trades!



A Golden Jubilee for Minnesota's Prevailing Wage Law

In 1973 the Minnesota Senate voted 56-0 and a House vote was 84-39 to pass this landmark State law that puts quality and value as lawful expectations in public construction. 50 years old and stronger than ever!!

Washington County Adopts New Prevailing Wage Policy



On Aug. 22, 2023, Washington County became the most recent municipal government to adopt a prevailing wage policy for its public construction projects. This new policy will apply to county projects with a cost of more than \$175,000 that do not use other state or federal funding sources. The policy also grants enforcement authority to the county administrator, county attorney, and the public works director for any violations of the policy, including requiring backpay, withholding payment to contractors, liquidated damages, suspension, contract termination, and debarment.

FCF thanks the St. Paul Building & Construction Trades Council (BCTC) and Don Mullin for all of their hard work to make this policy a reality.

All counties within the St. Paul BCTC now have prevailing wage requirements.

FCFMN.org has Useful Resources

Key websites and reference documents are included on the **Resource** pages of **FCFMN.org**. Examples are:

- Local prevailing wage statutes and ordinances
- Links to selected MN state prevailing wage websites
- Links to selected Federal Davis-Bacon websites
- Tip sheets regarding who to call for assistance
- Files with federal wage rates for quick reference

Instead of searching the internet, you may find what you need at <https://fcfmn.org/resources/>.



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Where Teeter Must Balance

Andy Teeter, Local 322 carpenter, carries a piece of plywood over his head while constructing a walking bridge in St. Paul over Highway 94.



Union Trades Help Vets Center Soar

Melony Butler dreamed of having a place where US military veterans could go to recover from the trauma of war and find a renewed purpose in their lives. Eleven years later the Eagle's Healing Nest has 100 residents living at the former Sauk Centre Home School for Girls, a 125-acre campus with 24 buildings. The property's previous owners had the same vision, but according to Butler the property sat empty for years. "The owners wanted to create a piece of property for veterans, but they were relying on government entities and big corporations," Butler explained. "In seven years, they couldn't do anything."

That changed in the summer of 2012 when 500 trades volunteers brought their tools and started renovating the property. The Nest opened shortly thereafter.

The union building trades joined to advance the mission of the Nest. "They have been here from the start, but what's amazing about them is not only do they come as a group or a region, but a lot of them come after hours to continue to help our mission," Butler said. "They've come to help with the plumbing, the heating, the electric, carpentry, and welding as well."



Photo Credit: FCF-Vince Muzik

"They've talked to veterans, and some residents have even wound up going into the various apprentice programs," Butler said.

Added Zupon, "It's about giving back. It's that simple."

The involvement of the union building trades was boosted by former Minnesota Building Trades President Joe Fowler, whose friends reached out because they knew of the trades' military outreach through the Beyond the Yellow Ribbon program. That led to a call with former Big Lake Mayor Raeanne Danielowski, who asked what the trades could do.

The trades have not only applied their skills, such as pouring concrete for the new patio at the ranch building, but they've also recruited residents to join the union building trades. One resident who helped out pouring concrete got a job offer. "We wanted to put him to work. He knew what he was doing. We wanted to bring him into the trades. He was good because he jumped in there and outworked us," said Laborers' Business Agent Steve Zupon.

New Davis-Bacon Rules Take Effect

On Oct. 23, 2023, the most significant changes to the Davis-Bacon & Related Acts (DBA/DBRA) in more than 40 years go into effect. The most well-known change is reinstatement of the "Thirty Percent Rule," which allows USDOL to certify a wage rate if it reaches a threshold of 30% of survey responses, rather than a threshold of 50%+1.

There are many other significant changes that will enhance USDOL's ability to set and update wage rates and enforce compliance, including:

- Allowing "functionally equivalent" rates to be considered together when determining whether a wage rate meets the threshold for certification. This could include night shift premiums, zone pay, and escalator clauses.
- USDOL will publish "frequently conformed rates," so that project owners don't have to continually seek new conformances for empty labor classifications, which can take months to complete.
- Allowing USDOL to use state prevailing wage survey results in lieu of conducting federal surveys (which happen infrequently). If the state's survey process is deemed "substantially similar" to USDOL's process, those results can be used to set federal wage rates, allowing for more up-to-date rates. FCF sees this as the greatest improvement.
- Pre-existing commercial facilities may now be deemed secondary sites of work (e.g., off-site fabrication or modular construction) and be covered by DBA/DBRA if the facility is dedicated exclusively (or nearly so) to the project for a particular contract or specific period of time.
- An expanded definition of "prime contractor" that includes anyone who enters into a contract with the federal government, as well as their controlling shareholders. This change is aimed at the increasing use of single-project joint ventures, allowing cross-withholding of funds on any other federal contracts held by prime contractors or shareholders for violations of DBA/DBRA.



Nathaniel Toney, Local 633 cement mason, works on the new pedestrian bridge over Highway 94 in Woodbury.

Photo Credit: FCF-Vince Muzik

New MN Highway/Heavy Rates

Expect new Highway/Heavy Prevailing Wage rates to be published in October or November. You have 30 days from the publication date to contact MnDLI with requests for rate reviews. It often helps to review survey data prior to requesting a rate review. Affiliates should contact FCF if you need assistance interpreting survey data.

Look for Commercial Rates to be published in December.

Construct Tomorrow Returns with an Event in St. Paul

Construct Tomorrow returns for the 2023-24 school year with six events and a potential seventh event in April. This school year the event will make its debut in Saint Paul on December 6-7 at River Centre. The first day will be for students in Ramsey County; the second for those from neighboring counties such as Dakota, Washington, and Scott.

Construct Tomorrow was founded in 2013 to bring awareness to high school students about the post-secondary career opportunities in the union construction and building trades industries. It offers students the opportunity to speak with workers in the industry and test out some of the skills that they would need for the career.

Laying brick, mixing concrete, pounding nails, walking a steel beam, pulling wire with electricians — these hands-on experiences allow them to try their hand at a skilled trade. Students can also practice the hand-eye skills used in welding and running a backhoe via computer simulators. Most importantly, they are able to speak directly with a union's apprenticeship coordinator and educate themselves about the opportunities in the trades, such as the opportunity to immediately step in to the workforce with no college debt yet with a hands-on career; a career where in the end you can look back and say, "I built that!"



Photo Credit: FCF-Vince Muzik

2023	Nov. 15	Mayo Clinic Event Center, Mankato
	Dec. 6-7	River Centre, St. Paul

2024	Jan.	TBD, Grand Casino, Hinckley
	Feb. 14	Heritage Center, Brooklyn Center
	Mar. 12-13	The DECC, Duluth
	Apr.	TBD

Contractors: Your Help Matters

When labor standards are systematically violated, the exploited workers aren't alone in the loss. Sometimes the competitive bidding process and losing bidders suffer, too. FCF's affiliated union contractors in the National Electrical Contractors Association (NECA) and the Sheet Metal, Air-Conditioning & Roofing Contractors Association (SMARCA) understand this and have recently contacted us to provide details and perspective into ongoing FCF investigations.

Thank you, NECA and SMARCA, for lending support to preserving fair and lawful competition in our industry.

Contractors' perspectives and voices are always helpful.