

## **SAY NO TO “PROPOSED RESPONSIBLE CONTRACTOR ORDINANCE”**

The local building and construction trades unions have approached various political subdivisions requesting the adoption of a so-called “*responsible contractor ordinance*” under the guise of protecting taxpayers from contractors who are unqualified or who allegedly have not adequately trained their employees. While a portion of the proposed “*responsible contractor ordinance*” is quite reasonable, the section that pertains to training is an obvious effort to exclude virtually all contractors not affiliated with a union from working on the political subdivision’s public construction projects.

### ***Wide Range of High Quality Training Programs***

The proposed “*responsible contractor ordinance*” effectively provides that the only training that would satisfy the proposed ordinance is that provided by union apprenticeship programs. The unions will argue that this is the only means to guarantee that companies have a skilled workforce. However, there are other high quality apprentice training programs that also ensure the skill sets of the workforce. ABC operates State and federally approved apprenticeship-training programs in many of the construction trades for its members and their employees. Many ABC members take advantage of these training programs, while others have chosen to establish their own in- house or outside training programs to produce the skilled construction employees they need.

### ***Do Not Discriminate Against Competent Contractors***

Many ABC members, other open-shop contractors, and their employees live and work in the political subdivisions, as well as other townships in the County. Many of them have performed work for you over the years.

You should ask yourself that if having a union apprenticeship program is essential to being a competent contractor, then why don’t the bonding companies who cover public construction projects have the same restrictions the unions have proposed. The answer is obvious, the requirement is not about training, it’s about creating a monopoly for one special group.

Examine the list of contractors that your municipality has used over the years and I am sure you will find a mix of both union and merit or open shop contractors. The fact that many merit or open shop contractors have performed well for your municipality over the years is evidence that well-trained construction employees can be produced by a variety of methods and that they are not the exclusive purview of union apprenticeship programs. Currently, ABC has members under contract to PennDOT and the Turnpike Commission on individual projects well over \$100 million. Under the provisions of Warrington’s so-called responsible ordinance, they would not meet the proposed training standards set because they have not participated in the union-specific training programs and would be barred from working for the political subdivision. Does that make sense?

### ***Reduction in Competition = Increased Costs***

As a matter of information, 75% of the construction employees in the greater Philadelphia region work for merit or open shop contractors compared with 25% who have elected representation by a union. To preclude the majority of area construction employees, some who live and pay taxes in the political subdivisions from working on your construction projects would be discriminatory and un-American. In addition, from a taxpayer perspective, this ordinance will substantially reduce competition and thus drive up your construction costs resulting in higher taxes. These ordinances do not support the open, free and fair competition that is the American way.

### ***Make Your Voice Heard***

ABC urges that you **not** adopt a proposed “*responsible contractor ordinance*” that would preclude qualified construction companies and their employees from performing construction work in political subdivisions. You should ask yourself if you want New Jersey style procurement policies in your political subdivision. If you feel there is a need to adopt some form of responsible contractor ordinance, ABC would be happy to work with local officials to craft a suitable ordinance that accomplishes your objectives and is fair to all contractors – no matter whether they are merit shop or affiliated with a union.

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