

HB 1498 -- Fairness in Public Construction Act

Sponsor: Dethrow

This bill establishes the Fairness in Public Construction Act to fulfill the state's proprietary objectives by maintaining and promoting economical, nondiscriminatory, and efficient expenditures of public funds in connection with publicly funded or assisted construction projects.

State and political agencies cannot impose certain labor requirements as conditions for performing public works. Public entities procuring products or services or entering into contracts for the manufacture of public works must ensure that their agreements do not bind the other parties to an agreement with a labor organization. Public entities cannot discriminate against other parties who refuse to adhere to agreements with labor organizations on the same or related projects. Public entities will not require other parties to enforce any agreement that requires its employees to become a member, pay dues, or pay fees to a labor organization in excess of costs already paid. Any interested party has standing to challenge agreements that violate these provisions.

Any employer is prohibited from directly or indirectly receiving from another project any wage subsidies, bid supplements, or rebates from any employee or labor organization for a construction project or from any third party to subsidize labor costs on the public works construction project. Any contractor or subcontractor who violates these provisions will be required to pay the public body twice the amount of the subsidy received.