



KEY VOTE

January 21, 2009

United States Senate
Washington, D.C. 20510

Dear Senator:

On behalf of Associated Builders and Contractors (ABC) and its more than 25,000 general contractors, subcontractors, material suppliers and construction related firms across the United States, I would like to take this opportunity to voice our strong support of an amendment offered today by Senator David Vitter (S.A. 34) to the "*Lilly Ledbetter Fair Pay Act of 2009*" (S. 181) that eliminates discrimination and ensures fairness in federal procurement by forbidding union-only project labor agreements (PLAs) on federal and federally funded construction projects. In addition, this amendment protects taxpayers and ensures fair and open competition on contracts for all federal infrastructure projects. We urge you to support the Vitter Amendment to the "*Lilly Ledbetter Fair Pay Act of 2009*" (S.181) when it comes up for a vote in the U.S. Senate. **ABC will consider your vote on S.A. 34 a "key vote" for our 111th Congressional Scorecard.**

Equal opportunity and open competition in federal contracting are critical issues to consider as the federal government explores various solutions, including significant infrastructure spending, to stimulate our ailing economy. Congress must ensure federal and federally funded infrastructure projects paid for by taxpayers are administered in a manner that is free from favoritism and discrimination while efficiently spending federal tax dollars. These interests would not be served if Congress were to require union-only requirements, commonly known as union-only PLAs, on federal construction projects. The Vitter Amendment would protect taxpayers from costly and discriminatory union-only PLA requirements on federal construction contracts.

A union-only PLA is a contract that requires a construction project to be awarded to contractors and subcontractors that agree to: recognize unions as the representatives of their employees on that jobsite; use the union hiring hall to obtain workers; pay union wages and benefits; obtain apprentices through union apprenticeship programs; and obey the union's restrictive work rules, job classifications and arbitration procedures.

Construction contracts subject to union-only PLAs almost always are awarded exclusively to unionized contractors and their all-union workforces. According to the most recent data from the U.S. Department of Labor's Bureau of Labor Statistics, only 13.9 percent of America's construction workforce belongs to a union. This means union-only PLAs would discriminate against almost nine out of 10 construction workers who would otherwise work on construction projects if not for a union-only PLA.

This discrimination is particularly harmful to women and minority-owned construction businesses – whose workers traditionally have been under-represented in unions, mainly due to artificial and societal barriers in union membership and union apprenticeship and training programs.

In closing, we strongly urge you to eliminate discrimination and guarantee equal opportunity and open competition in federal construction procurement by supporting the Vitter Amendment (S.A. 34) to the "*Lilly Ledbetter Fair Pay Act of 2009*" (S. 181).

Sincerely,

Geoffrey G. Burr
Vice President, Government Affairs
Associated Builders and Contractors