

Community Workforce Agreements

Frequently Asked Questions

What are Community Workforce Agreements?

A community Workforce Agreement (CWA) is a pre-hire agreement designed to facilitate construction projects. A CWA is sometimes referred to as a Project Stabilization Agreement (PSA) or a Project Labor Agreement (PLA). Regardless of the name used, all CWAs set the basic terms and conditions for an entire construction project or projects. Each CWA is negotiated and designed and individually tailored to meet the needs of the construction project(s) and the project owner. The terms and conditions set by the agreement apply to every contractor and subcontractor operating on the project site(s) for the duration of the agreement. By bringing all construction craft workers and all contractors and subcontractors under a uniform set of jobsite rules a CWA is able to, among other things, provide a high-level of predictability for the project(s). This streamlined process is key to delivering a project(s) safely, on-time and on-budget.

How Do Community Workforce Agreements Work?

Under a CWA, the basic terms and conditions for the parties are clearly established at the time of the bid for everyone involved in the project. The basic process for a public agency such as a School District or a City or County that has decided to pursue a CWA is to direct their staff/legal counsel to enter into negotiations with representatives from the Building Trades Council. (For privately owned project owners, the builders or developers will generally negotiate the terms of the agreement with the Building Trades Council.) At the conclusion of the negotiations the parties have a uniform set of jobsite rules relative to wages and conditions that comprise the terms of the CWA. (A sample of recently adopted local agreements are included in this booklet.) The rules contained in a CWA will contain an expedited procedure to address and resolve any dispute that may arise relative to wages, conditions or contract. The negotiated agreement is then brought back to the Board or project owner for approval. The project(s) are then bid in the normal & customary fashion. Bid advertisements, awarding, prevailing-wage laws and adherence to the public contracting code all remain and are not impacted by the CWA.

On what types of projects are CWAs used?

CWAs are most often used on complex projects that require the services of multiple contractors and subcontractors and that employ multiple construction crafts over a sustained time period.

Are there certain features common to CWAs?

A CWA will commonly contain the following: Uniform work hours and holiday schedule; Prohibition against strikes, lockouts and work stoppages; Procedures for quick resolution of disputes; Pre-job conferences to assign and coordinate work schedules and project needs; Joint safety and health committees, provisions for using apprentices on the project to ensure local community job training opportunities while lowering overall job costs; a commitment to utilize Veterans or other targeted groups for employment.

Are there other special features on public project CWAs?

Yes, there are many community benefit programs used in conjunction with a public project(s) CWA. These programs involve outreach and support to disadvantaged youth, those that are justice involved, women, minorities, and areas of high unemployment. Local hire components are often included to target hiring to specific geographic areas such as a specific school district, city or county. Public project CWAs routinely encourage the offer support for women owned businesses, minority owned businesses, small business and disabled veteran owned businesses.

What are the advantages to using a CWA?

Most CWA users speak to the economic benefits that come from having access to an uninterrupted supply of qualified workers, being able to accurately predict labor costs, utilizing expeditious procedure to resolve disputes, and creating labor management cooperation committees to promote safe work practices on the job. Additionally, prevailing wage violations on public projects are virtually non-existent.

Do you have to be a union member to work on a project covered by a CWA?

No. Anyone willing to work under the terms of the agreement is free to apply for work on the project. Federal law prohibits employers from discriminating against employees based on their union affiliation.

Can non-union contractors or subcontractors bid on projects covered by a CWA?

Yes. Non-union contractors can and do routinely bid on projects covered by a CWA. All successful bidders must agree to the terms and conditions of a project, including to the terms of a CWA, regardless of union affiliation. A bid specification that includes a CWA is like any other legitimate bidding condition, such as a payment bond or performance bond. It is a condition uniformly imposed by the project owner through its construction manager on all bidders to ensure the successful completion of work on the project. No contractor is excluded from the bidding process unless they exclude themselves.

Do CWAs bring value to the community beyond the efficient building of the project(s)?

Yes. Project owners can design the CWA to address a wide range of local needs. CWAs can and often ensure that qualified local community construction workers are used through the local hire provision in the CWA. Many public agencies use CWAs to target historically disadvantaged communities, workers, and businesses. Working together many public agencies have used CWAs to foster and grow innovative pre-apprenticeship programs that provide a pathway into apprenticeship programs and middle class head of household local careers with benefits.