

COUNTY COUNCIL OF PRINCE GEORGE'S COUNTY, MARYLAND
2023 Legislative Session

Bill No. CB-004-2023

Chapter No. 8

Proposed and Presented by Council Members Burroughs, Blegay, Dernoga, Ivey, Olson, Oriadha

Introduced by Council Members Burroughs, Blegay, Dernoga, Ivey, Olson and Oriadha

Co-Sponsors _____

Date of Introduction January 24, 2023

BILL

1 AN ACT concerning

2 A Pilot Project Labor Agreement

3 For the purpose of establishing a pilot project labor agreement targeting Prince George's County
 4 Department of Public Works and Transportation CIP 4.66.0002 Curb and Road and
 5 Rehabilitation 2 construction projects that create entry-level positions for residents that are both
 6 necessary and desirable.

7 BY adding:

8 SUBTITLE 10A. PURCHASING.

9 Sections 10A-158.00.02 and 10A-158.00.03

10 The Prince George's County Code

11 (2019 Edition; 2022 Supplement).

12 SECTION 1. BE IT ENACTED by the County Council of Prince George's County,
 13 Maryland, that Sections 10A-158.00.02 and 10A-158.00.03 of the Prince George's County Code
 14 be and the same are hereby added:

15 **SUBTITLE 10A. PURCHASING.**

16 **DIVISION 6. SPECIAL PROVISIONS.**

17 **SUBDIVISION 13. PROJECT LABOR AGREEMENTS.**

18 **Sec. 10A-158.00.02. Legislative findings and policy.**

19 (a) The County Council finds that the County manages and oversees a significant capital
 20 construction budget and is committed to ensuring that capital construction funding helps create
 21 high quality careers in construction for Prince George's County residents, including women, all

1 ethnics groups within its population, veterans, returning citizens, and residents with social and
2 economic disadvantages.

3 (b) The County Council finds that the County is one of the nation's most economically
4 affluent counties with a majority African American population, but that significant segments of
5 its population face economic, educational and career development obstacles.

6 (c) The County Council finds 8.8 percent of County residents were unemployed in 2021;
7 that approximately 78,000 county residents currently live in poverty, two-thirds of whom are
8 African-American; and that approximately 30 percent of County high school graduates do not
9 attend college.

10 (d) The County Council finds that the County has the highest unemployment rate in the
11 Washington Metropolitan Statistical Area, demonstrating the need for the creation of economic
12 opportunities and career pathways for historically disadvantaged and under-represented people as
13 a foundation of the county's continued development.

14 (e) The County Council finds that project labor agreements, as outlined in Sec. 10A-157
15 Declaration of findings and policy, are strategic vehicles for addressing the legitimate needs and
16 interests of underserved populations that historically have been excluded from the benefits of
17 economic and career path development.

18 (f) The County Council finds that project labor agreements are an effective tool for
19 promoting access to construction career opportunities for members of targeted communities and
20 populations and help strengthen community-labor partnerships by establishing enforceable labor
21 standards through collective bargaining that protect job quality.

22 (g) The County Council recognizes that well-trained workers earning family-supporting
23 wages with employer-sponsored health insurance and retirement plans contribute to the
24 economic prosperity of the county and reduce the need for county-provided safety net services.

25 (h) The County Council finds that local and state governments across the country have
26 successfully leveraged tax dollars to uplift citizens in their respective districts through the use of
27 project labor agreements.

28 (i) The County Council finds that project labor agreements have been underused by the
29 County, and that a pilot project labor agreement targeting on construction projects that create
30 entry-level positions for residents is both necessary and desirable.

Sec. 10A-158.00.03. Pilot Project Labor Agreement on CIP 4.66.0002, Curb and Road Rehabilitation 2 Projects.

(a) All Department of Prince George’s County Department of Public Works and Transportation CIP 4.66.0002 Curb and Road and Rehabilitation 2 projects shall require, as part of a solicitation for a construction contract, that every contractor and subcontractor that will engage in the construction project agree to negotiate or become a party to a project labor agreement, for that project, with one or more labor organizations if:

(1) Use of a project labor agreement will advance the County's interest in producing labor-management stability and ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, and other matters.

(b) A project labor agreement agreed to pursuant to subsection (a) of this section shall:

(1) Bind all contractors and subcontractors engaged in construction on the construction project to comply with the project labor agreement; and

(2) Contain guarantees against strikes, lockouts, and similar job disruptions; and

(3) Set forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the project labor agreement; and

(4) Provide other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health; and

(5) Include any additional requirements that the Office of Central Services considers necessary to promote the County’s interest.

* * * * *

SECTION 2. BE IT FURTHER ENACTED that the provisions of this Act are hereby declared to be severable; and, in the event that any section, subsection, paragraph, subparagraph, sentence, clause, phrase, or word of this Act is declared invalid or unconstitutional by a court of competent jurisdiction, such invalidity or unconstitutionality shall not affect the remaining words, phrases, clauses, sentences, subparagraphs, paragraphs, subsections, or sections of this Act, since the same would have been enacted without the incorporation in this Act of any such invalid or unconstitutional word, phrase, clause, sentence, paragraph, subparagraph, subsection, or section.

SECTION 3. BE IT FURTHER ENACTED that The Office of Central Services shall provide the County Council with an annual report on the pilot project labor agreement, outlining

1 the number of awarded contracts covered, and the percent of County residents hired on the
2 projects covered. This pilot project labor agreement shall expire five years after its effective date
3 if not extended by the Prince George' County Council. This pilot project labor agreement shall
4 expire five years after its effective date if not extended by the Prince George' County Council.

5 SECTION 4. BE IT FURTHER ENACTED that this Act shall take effect forty-five (45)
6 calendar days after it becomes law.

Adopted this 14th day of February, 2023.

COUNTY COUNCIL OF PRINCE
GEORGE'S COUNTY, MARYLAND

BY: _____
Thomas E. Dernoga
Chair

ATTEST:

Donna J. Brown
Clerk of the Council

APPROVED:

DATE: _____ BY: _____
Angela D. Alsobrooks
County Executive

KEY:
Underscoring indicates language added to existing law.
[Brackets] indicate language deleted from existing law.
Asterisks *** indicate intervening existing Code provisions that remain unchanged.

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