

From: ericchristen ericdchristen@gmail.com
Subject: Re: Ongoing Plan for Union Monopoly on Monterey Bay Community Power Renewable Energy Contracts (Project Labor Agreement):
Date: March 6, 2017 at 4:24 PM
To: [REDACTED]
Cc: [REDACTED]

March 6, 2017

Monterey City Council
City Hall
580 Pacific St.
Monterey, CA 93940

Re: Ongoing Plan for Union Monopoly on Monterey Bay Community Power Renewable Energy Contracts (Project Labor Agreement):

Dear Members of the Monterey City Council:

The Coalition for Fair Employment in Construction (CFEC) sent you a letter on January 30, 2017 warning about the planned Project Labor Agreement (PLA) mandate for contracts of Monterey Bay Community Power. (See the letter below.) Since then CFEC has only become more convinced that the appointed board of Monterey Bay Community Power will act quickly to require its construction contractors to sign a Project Labor Agreement with unions.

Slides from presentations at your city council meeting and town hall meeting have been circulating on social media that appear to show Project Labor Agreements in a positive light. And a memo (Attachment 3) for your March 7 meeting describes the decision for a "Labor Union Recommendation" that can be considered once the local governments have joined the joint powers agency and the appointed board members are sworn in to begin voting. The memo points out that Marin Clean Energy has imposed a Project Labor Agreement for 90% of its project work and Sonoma Clean Power for more than half of its limited project work.

Project Labor Agreements cut bid competition and increase costs of construction for ratepayers. It's likely many of these union workers will travel to the job sites of Salinas Valley utility-scale solar facilities from the San Francisco Bay Area, where unions maintain a foothold in the construction industry through existing Project Labor Agreements. Contrary to popular belief, Project Labor Agreements cannot and do not ensure or guarantee local hiring: they can only establish local hiring as a non-binding goal dependent on the number of union members on the out-of-work lists in the union dispatching system. If local workers aren't available to dispatch, "travelers" from other union jurisdictions are dispatched to the job sites.

The Monterey Bay Community Power board is likely to regard the Project Labor Agreement as a revenue shift from ratepayers on the Peninsula to unionized construction workers and the union trust funds that collect designated employer payments, dues, and fees. Your one shared representative on an 11-member board that meets in Santa Cruz is unlikely to prevail in an argument that Peninsula ratepayers can't afford to pay more for their electricity to boost unions and their members.

Perhaps you believe that Project Labor Agreements would be a wise public policy for Monterey Bay Community Power. If so, please announce your support for the Project Labor Agreement at the meeting on March 7, so the public knows where you stand on this costly contracting plan for the new

electricity government agency. Conversely, if you are uncomfortable with government-mandated Project Labor Agreements, considering voting NO on the proposal.

Please contact me at [REDACTED] at (858) 431-6337 for more information about PLAs.

Sincerely,

Eric Christen
Executive Director
Coalition for Fair Employment in Construction
www.opencompca.com

January 30, 2017

Monterey City Council
City Hall
580 Pacific St.
Monterey, CA 93940

*Re: Plan for Union Monopoly on Monterey Bay Community Power Renewable Energy Contracts
(Project Labor Agreement)*

Dear Members of the Monterey City Council:

The Coalition for Fair Employment in Construction represents organizations and businesses throughout California, including the Monterey Bay area, that support fair and open bid competition and worker freedom of choice on government-funded construction contracts. A speaker at your January 25 special city council meeting about Monterey Bay Community Power requested something that greatly concerns us and should concern you.

A professional union organizer for the International Brotherhood of Electrical Workers (IBEW) Local No. 234 asked you to support unspecified language in the foundational document of the Monterey Bay Community Power Joint Powers Agency about "local jobs." He also told you that the unions were working with certain members of the Monterey County Board of Supervisors to insert this language.

You should know that this language is actually a union organizing scheme. That's why a union organizer spoke during public comment. They want to use the new Joint Powers Agency to require all energy developers and contractors to sign a Project Labor Agreement (PLA) with unions as a condition of getting contracts.

In other words, every trade worker that builds anything funded by Monterey Bay Community Power must be represented by a union and must pay union dues and fees to the local unions. And when union officials say "local," they mean the local union headquarters, not necessarily local workers. In practice, the workers themselves can be classified as "travelers" by the union and come from anywhere - probably from the Bay Area but perhaps even from Canada.

Non-union construction companies essentially become unionized if they choose to sign the Project Labor Agreement. And for construction companies already unionized, the Project Labor Agreement

... subverts their existing Master Labor Agreement already negotiated between contractor representatives and union officials in a series of bargaining sessions.

When there is a Project Labor Agreement, the Government determines the working relationship between employer and employees. There's no employer involvement in developing terms and conditions. That's the potential of Monterey Bay Community Power for unions.

There are, of course, responsible and capable union construction companies and workers in the Monterey Bay area. But there are also responsible and capable non-union construction companies and workers in the Monterey Bay area. You may know some of them. Some local non-union workers specialize in large infrastructure projects. Other local non-union workers install solar panels on schools, apartments, government buildings, and residential homes.

Monterey Bay Community Power offers a strategy to get these local private companies and their employees either unionized or out of the Monterey Bay construction market altogether. The future of renewable energy in the Monterey Bay region will be union-only, down to installing or removing a light-emitting diode (LED) or plugging in a new solar panel.

Note that Project Labor Agreements cut competition for contracts and also increase the cost of construction. That's where the savings will go from Monterey Bay Community Power - not to the energy consumers, but to the unions.

With Watsonville and Santa Cruz having individual seats on the Joint Powers Agency board - and Monterey, Pacific Grove, and Carmel having only one collective vote - the board will be pre-ordained for a majority to vote for a Project Labor Agreement. And your local residents and businesses will pay for it.

Want proof a Project Labor Agreement is the plan? See the presentation that union officials made to the Monterey Bay Community Power advisory planning committee in 2016. It's linked here on the Coalition for Fair Employment in Construction website:

[Monterey Bay Community Power Project Development Advisory Committee - Project Labor Agreement Presentation on Agenda](#)

Recommendation: When representatives of Emerging Ecologies and the Climate Action Compact appear again before the Monterey City Council for another study session, ask them how they expect the Project Labor Agreement to be implemented. Will it be included in the Joint Powers Agency foundational documents, or will it be adopted by the Joint Powers Agency board as a policy immediately afterwards? Are board representatives from the City of Santa Cruz and City of Watsonville expected to take the lead on pushing the proposal?

Unless there is a guarantee of fair and open competition for contracts, stay away from this union-influenced community choice aggregation agency.

Please contact me at [REDACTED] at (858) 431-6337 for more information about Project Labor Agreements.

Sincerely,

*Eric Christen
Executive Director
Coalition for Fair Employment in Construction*

~~Section 101 - Employment Contract~~
www.opencompca.com