



West Virginia
Chapter

April 22, 2010

State Board of Education Approved Discriminatory Practice for the Construction of Preston County Schools

Last week, the West Virginia State Board of Education approved a resolution proposed by the Preston County School Board that will exclude all local open-shop construction workers from working on school projects in the county. The 19 point measure will discriminate against more than 84 percent of the region's construction employees that have chosen not to join a union.

This measure called a Responsible Contractor Ordinance (RCO) may look like a reasonable effort to protect local communities from contractors and subcontractors who do not perform up to their standards, but once you examine the details of the ordinance; it becomes apparent that the real purpose is not to ensure that construction companies used to build Preston County schools are "responsible" but that they hire only union labor. These measures can hardly be considered responsible when the effects are limiting competition and raising building costs.

The school board and the state would like you to believe that an ordinance such as this is drafted to ensure that the workers who perform work on your children's schools are more qualified because they have completed union apprenticeship programs. This proposition is false. Union apprenticeship programs are not the only way to determine if an employee is qualified; today there are many alternative avenues that provide a quality construction education, such as technical high schools, community colleges, trade and technical schools and colleges and universities offering craft education. Most construction employers today use in house outcome based training programs that allow employees to learn at a rate based on their ability rather than an arbitrary time line. Furthermore, there are many non-union highly skilled West Virginia Building contractors that have successfully completed numerous school building projects throughout the state saving taxpayers millions of dollars.

It seems logical that, if responsibility is what the school board is after; the answer is opening up the bidding process to **all** qualified companies to ensure the taxpayer receives the best price for the highest quality. Let all contractors submit their qualifications and past performance on public works projects. The West Virginia State Board of Education has ample examples to evaluate both union and non-union companies on the quality of their work and the value of their current proposal. Unfortunately, this measure succumbs to union political pandering, denying qualified construction companies solely by virtue of their non-union status, the opportunity to bid on these projects.

State funded construction projects should be focused on value, quality, safety, training and experience and open to **all** qualified contractors regardless of their labor affiliation. The use of any discriminatory arrangement will do absolutely nothing to ensure quality and will serve to increase costs to taxpayers by excluding open-shop contractors and reducing competition. This type of ordinance also adds administrative costs and time to the project delaying the school opening and once again wasting tax payer money. We believe unions should stop playing politics

with your tax dollars and allow all local hard working construction men and women to compete to build your schools.

Associated Builders and Contractors (ABC) is a national trade association representing more than 25,000 merit shop construction and construction related firms in 79 chapters across the United States. The West Virginia Chapter (ABCWV) represents over 105 merit shop construction companies and 2500 employees throughout the state of West Virginia.

ABCWV promotes free enterprise and open competition within the construction industry and protects opportunities for employees, employers, and investors based solely on **merit**. Visit www.abcwv.org to learn more about why RCOs hurt competition and drive up the cost of construction.