



LEGISLATIVE PRIORITIES

116TH CONGRESS

LiUNA!

Feel the Power



INFRASTRUCTURE

America's infrastructure was once the envy of the world. Now, the American Society of Civil Engineers has given the United States a grade of D+ for the state of our physical infrastructure.

Infrastructure is so ingrained in our daily lives that most people do not even think about it until there is a failure. We assume that the light will come on when we flip a switch or that we can drink water from a faucet in our homes when we are thirsty. Bridges are not supposed to collapse, and our roads should be paved, free of damage, and able to get us to our destinations in a timely manner. People without cars should have easy access to transportation options locally and to travel to other cities and states. And, businesses and consumers need to move goods and services in a timely and efficient manner.

Most of the nation's political leaders have talked about fixing our crumbling infrastructure, but then have done nothing to make the necessary investments to fix it. It has become the great bait and switch...promises to make people's lives better with no actual intention of tackling the issues. Failure to act has not only hurt the United States' economy, but also the quality of life of our citizens. Time spent in long commutes is less time with our families, failing drinking water and waste water systems expose people to unsafe and unsanitary conditions, and our energy delivery networks hover at the edge of catastrophe waiting for the moment where too many customers turn on their air conditioning at the same time or spend too much to heat their homes in winter.

The time is now for Congress to act on a 21st Century infrastructure package. We cannot keep ignoring the need for infrastructure investments that are needed across this great country.

Highway Bill/Surface Transportation Act

Most of the federal surface transportation programs are currently authorized under the Fixing America's Surface Transportation Act (FAST Act), which is a 5-year, \$305 billion law that will expire at the end of fiscal year 2020. Without reauthorization, the nation will again face a cliff in road and highway funding that will result in the projects grinding to a halt and new projects being delayed or cancelled. Before the enactment of the FAST Act, surface transportation programs relied on dozens of short and mid-term extensions which forced state departments of transportation to shelve numerous projects, because, once started, delays in future funding cannot be sustained.

Reauthorization of the highway bill is LIUNA's top legislative priority when it comes to infrastructure. Without a properly functioning Federal Aid Highway Program, Americans will continue to struggle with long commutes, unnecessary damage to their vehicles, and fewer transportation options.

The program needs to increase to meet the demands of a growing nation and keep our transportation networks functioning, and the program needs to be funded with a sustainable and dedicated revenue stream that will continue to grow as demand grows.

Currently, the Highway Trust Fund is financed predominantly through an 18.3 cents per gallon tax on gasoline. This user fee hasn't been increased since the Clinton administration. LIUNA believes that an increase in this fee is the most practical way to raise revenue, given that the user fees go directly to the investments for which they were intended. Additionally, this fee is also used to fund the federal transit programs which help provide individuals' transportation options if they do not have access to a car.

While the federal gas tax is the most efficient way to raise the funds for road and transit funding, we also support other user fees and are open to other financing options. With the rise of electronic vehicles and greater fuel efficiency standards, the gas tax offers diminishing revenues, so we have supported the idea of a vehicle miles travelled fee. Additionally, LIUNA supports innovative financing options such as an infrastructure bank, Public Private Partnerships (if structured correctly), and bonding mechanisms to increase private investments into publicly accessible infrastructure.

An honest attempt to pass any infrastructure legislation must include adequate funding and financing options to meet the need. In all likelihood, this will mean not choosing one funding method, but instead a combination of approaches.

Energy Infrastructure

The second largest sector of work for LIUNA members is the energy sector. Our members go to work every day, developing our nation's abundant energy resources, and keeping the lights on for millions of Americans across the country. Our work reflects our position when it comes to energy—an all-the-above approach to energy policy. Our members build windfarms, solar fields, hydropower plants, nuclear facilities, and pipelines. In fact, the natural gas pipeline industry has provided millions of work hours and helped tens of thousands members start

careers, while helping to decrease our nation's net greenhouse gas emissions. LIUNA is supportive of efforts to streamline the permitting process to avoid unnecessary delays on energy projects and lost job opportunities for our members.

As the 116th Congress looks to enact legislation to address climate change, it is imperative that we come up with reasonable and rational solutions that maintain reliability and affordability, particularly for power generation and home heating. The Green New Deal Resolution fails this test by imposing unrealistic targets and timelines loaded down with illusory principles unrelated to climate change. By truly working together, we can move toward decreasing greenhouse gas emissions without displacing workers and increasing the cost of energy for consumers.

Water Infrastructure

Federal investments to our nation's water infrastructure falls into two categories: large civil works projects overseen by the Army Corps of Engineers (the Corps); and locally directed projects that are funded by the two federal revolving loan funds, the Clean Water State Revolving Fund and the Safe Drinking Water State (SRFs).

Water Resources Development Act (WRDA): WRDA is the primary legislative vehicle that authorizes projects to our national network of locks, dams and levees, for the purposes of transportation (primarily the transportation of goods on our nation's inland waterways and ports of entry), water storage and hydro-electric power generation, and flood control. However, the most recent WRDA bill included additional provisions supported by LIUNA such as the Securing Required Funds for Water Infrastructure Now (SRF WIN) Act, a new financing vehicle for critical drinking water and wastewater infrastructure projects to help restore our nation's water infrastructure. The bill also included funding for two other programs that LIUNA supports; the U.S. Environmental Protection Agency's (EPA) successful Water Infrastructure Financing and Innovation Act (WIFIA) and reauthorization of the Safe Drinking Water State Revolving Fund for three years at increasing funding levels.

After a long period of failing to enact WRDA legislation, it is important to commend the respective committees of jurisdiction for restoring the bi-annual schedule for WRDA reauthorizations and for fostering the spirit of bipartisanship that has been the hallmark of infrastructure legislation. We hope this continues.

State Revolving Funds (SRFs): Many of the nation's water systems were built in the early to mid-20th Century, and were only meant to have a reasonable lifespan of seventy-five (75) to one-hundred (100) years. The water crisis in Flint, Michigan is only one story of our failing water infrastructure. Congress must prioritize the need to repair our water infrastructure in communities across the nation. LIUNA supports the bipartisan calls for dramatically increasing funding levels for the Clean Water State Revolving Funds and Safe Drinking Water State Revolving Funds. This critical investment will help states and local governments provide the necessary resources for water related infrastructure, and will provide communities access to safe and affordable drinking water and wastewater systems.



PAY AND BENEFITS

Davis Bacon/Prevailing Wage

Davis Bacon Prevailing Wage laws prevent cheap, low-road contractors from undermining the wage and benefits of workers on federally assisted construction projects. Prevailing wage laws ensure that labor costs are uniform, allowing contractors to compete for public projects on skill, productivity, and management abilities, not on who can scrape together the cheapest workforce. Davis Bacon not only provides needed stability in the construction industry, it also preserves the living standards of all construction workers and their families throughout the country.

LIUNA opposes any effort to weaken or repeal the Davis Bacon Act.

Multiemployer Pensions

LIUNA is strongly committed to retirement income security for our members and their families. Through our network of multiemployer labor-management pension trust funds, many hundreds of thousands of retirees and surviving spouses have received, or are receiving, a monthly pension benefit for the remainder of their lives. Billions in retirement benefits have been paid over the past fifty (50) years by these pension funds.

We are mindful that some large multiemployer pension funds sponsored by other unions and employer groups are headed toward insolvency and that the Pension Benefit Guaranty Corporation (PBGC) is essentially bankrupt. However, it would be disastrous for LIUNA members and their pensions if Congress tried to save those troubled pension funds and the PBGC on the backs of laborers through increases in PBGC premium rates. Laborers give up wages in exchange for collectively bargained employer contributions to their pension funds.

Those contributions need to stay in laborers' pension funds to pay for laborers' pensions, and not be diverted to PBGC premiums. Laborers would prefer their pension funds not be covered by the PBGC "guarantee" program rather than pay increased PBGC premium rates. Laborers should not be required to pay the pensions of retirees in other pension funds. To enable pension fund trustees to better protect workers' pensions into the future, Congress needs to authorize new types of plan design and ease the transition of traditional defined benefit plans into the new designs where appropriate. New plan designs could better adjust to the instability of the American economy and investment markets, as well as other changes in circumstances. New plan designs could be free of employer withdrawal liability, PBGC premiums and other disincentives, and attract new contributing employers. The composite plan design, proposed in the GROW Act of 2018 (HR 4997) in the previous Congress, is an example of such a flexible design. But, there are others that could preserve the crucial lifetime retirement income feature of traditional defined benefit designs while accommodating changes in circumstances.

Congress needs to be aware that there is a limit to the costs that multiemployer pension funds, their active participants (workers) and contributing employers can bear. If the cost of maintaining a pension fund becomes too high, employers and active workers will be discouraged from continuing to support the fund. Work that generates the essential contribution revenue stream would dry up as employers withdraw and workers vote against making any more wage tradeoffs. There is a limit on how much employers can increase their labor costs (including pension contributions) and remain competitive with employers that do not provide pension coverage for their employees.

Registered Apprenticeship Programs

LIUNA urges Congress and the administration to ensure that self-funded Registered Apprenticeship programs like LIUNA's are not undermined as legislators seek to expand apprenticeship. Federal and state governments also should not subsidize experiments in industry-regulated approaches to training at the expense of proven labor-management programs.

LIUNA has, for decades, met the workforce development needs of the construction industry by building a self-funded training infrastructure and Registered Apprenticeship programs. State-of-the-art training is free and accessible to members across the U.S. and Canada through over 70 affiliated training centers. Continual training opportunity allows workers to upgrade their skill and pay throughout their career, and in turn provides employers with a highly-trained workforce.

LIUNA's labor-management training programs invest millions of private-sector dollars annually into this proven workforce development system. Most recent bipartisan efforts to expand apprenticeship programs across new industries have instead followed a model based on federal and state investment and competitive grants. Registered Apprenticeships

are a benefit to all workers, but without careful consideration, these efforts carry the risk of undercutting existing programs. This could do more damage if new programs are not subject to oversight that ensures labor standards and worker protections are properly enforced, and it could create a system where high-quality, self-funded programs like LIUNA's are forced to compete with subsidized programs that may not be required to meet the same standards.

Industry-Recognized Apprenticeship Programs (IRAPs)

The integrity of the Registered Apprenticeship system, under the National Apprenticeship Act, is the responsibility of the U.S. Department of Labor. For many years, DOL has successfully administered the law in the construction sector which accounts for 50% of all Federal Registered Apprenticeships. Recognizing the successful model of construction, the Department issued regulations in 2008 intended to encourage expansion of Registered Apprenticeship.

As the Department of Labor looks for ways to streamline requirements for apprenticeship programs, it must do so responsibly. In 2017, the president issued an Executive Order to create 5 million new apprenticeships over five years. To do so, it proposed a parallel apprenticeship system known as Industry-Recognized Apprenticeship Programs (IRAPs). The order gives the Secretary of Labor wide authority to set standards under this system, and it is currently in formal rulemaking.

The IRAP model is at risk of being subject to significantly less rigorous standards. While Registered Apprenticeship program sponsors must meet high standards to receive recognition from the Department of Labor, IRAPs would be allowed to receive accreditation through private third-party organizations approved by the DOL. IRAPs also would not be required to comply with Equal Employment Opportunity regulations and other standards for apprenticeships. The approval process for accreditors is still vague and could potentially give these private organizations discretion to shape apprenticeship standards.

Health Care Coverage/Repeal the Cadillac Tax

One of the greatest accomplishments of LIUNA is the network of health and welfare trust funds that provide comprehensive health plan coverage for members, their families and retirees, in addition to other valuable benefits. This is health plan coverage that laborers pay for by trading wages for collectively bargained employer contributions to the trust funds.

LIUNA remains firmly opposed to the unfair taxes on our collectively bargained health benefits. We are grateful that Congress has delayed the implementation date of the Cadillac tax by two years to 2022, but Congress must fully repeal this harmful tax. The Cadillac tax, which was enacted as a piece of the Affordable Care Act (ACA) imposes a 40% tax on many, and eventually all, of LIUNA's health plan coverage. Imposing any tax on employer sponsored insurance (ESI), particularly those that were bargained for as a part of a union contract, targets responsible employers and their workers instead of those companies who have chosen a

“low-road” model of employee compensation and benefits. We urge Congress to repeal the Cadillac tax as recently proposed in the bipartisan “Middle Class Health Benefits Tax Repeal Act of 2019” bill (S. 684 and H.R. 748), introduced by Senators Martin Heinrich and Mike Rounds and Representatives Joe Courtney and Mike Kelly.

Medicare for All/Universal Health Care

A national, single payer safety-net program also known as Medicare for All is an admirable goal, and worthy of debate. We need to proceed with caution in light of our strong multiemployer health and welfare plans that our members and their families benefit from.

9/11 First Responders Act

The 9-11 Victim’s Compensation Fund to provide compensation for responders and survivors suffering from 9-11 illnesses is running out of money and is scheduled to shut down in 2020. We can’t let this happen. LIUNA members proudly worked side by side with emergency personnel and our brothers and sisters from other construction crafts to sift through a toxic mix of debris to recover and cleanup the Ground Zero site. Tens of thousands of workers are sick from 9-11 illnesses, and each day more are diagnosed with cancers and other disabling illnesses caused by their 9-11 exposures. Bipartisan legislation has been introduced in both the House and Senate (HR 1327 and S. 546) to permanently authorize the Victim’s Compensation Fund (VCF). We were successful in getting the original 9-11 Health and Compensation Act passed in 2010, and getting the health program extended in 2015 until 2090. Now we need to make sure that the VCF is also extended.



EMPLOYEE RIGHTS AND PROTECTIONS

Immigration Reform

LIUNA was founded more than a century ago by proud immigrants, and we continue to work for fair treatment of immigrant workers in this nation. LIUNA will continue to fight for comprehensive immigration reform and will not stop until it gets done.

LIUNA strongly supports H.R. 6, the Dream Promise Act which would allow Dreamers, immigrants who have lived in the United States since childhood, to remain here. These young immigrants deserve the chance to obtain lawful permanence and eventual citizenship.

H.R. 6 would also allow workers covered by the Temporary Protected Status (TPS) program to have a path to permanency. Ending TPS would have a significantly negative effect on the construction industry since over twenty percent (20%) of TPS recipients work in our industry. The construction industry needs to retain workers covered by the DACA and TPS programs to continue to build America. These workers build America every day, and, at the same time, build the U.S. economy. Senator Van Hollen introduced similar legislation on TPS in the Senate, S. 879, which LIUNA also supports.

Guest Worker Visa Programs

Guest worker visa programs allow employers to hire guest workers to fill temporary “seasonal” jobs. Construction and landscaping work, often performed by LIUNA members, are two of the top industries for workers with H-2B visas. Many contractors that use H-2B falsely contend that they are unable to fill vacancies because they are jobs that workers already in the U.S. are unwilling to do. This is simply not true. Employers often turn to the program to avoid paying U.S. workers fair wages, and instead turn to guest workers who they can exploit.

Additionally, the H-2A agricultural visa program is also being misused to hire construction and landscape workers from other nations to come to the U.S. even though that program is not supposed to be used for construction workers. Finally, the EB-5 visa program, which grants visas to foreign nationals who invest in domestic construction projects, is another problematic visa program that needs greater oversight and transparency, as well as provisions to ensure that the jobs created through foreign investment have strong labor standards.

LIUNA opposes guest worker programs in the construction and landscaping industry. LIUNA urges Congress and the Administration to make needed reforms to the H-2B program, including prohibiting employers who abuse the program from getting visas, and ensuring that the H-2A agricultural visa program is not used to hire construction and landscape workers contrary to the intent of that program. Finally, LIUNA urges Congress to either make needed reforms to the EB-5 program or to allow it to expire.



FEDERAL EMPLOYEES

Over the past decade, federal employees have contributed over \$180 billion to deficit reduction in the form of pay freezes, retirement security cuts, and sequestration and government shutdowns. Hiring freezes have harmed morale and stretched federal workers in the past several years. Executive orders restricting federal workers' ability to collectively bargain and use official time to perform needed representational activities have thankfully been put on hold by the courts for now. Federal employees have endured furloughs without pay under sequestration as well as a government shutdown in 2013, and again in 2018/2019—the longest in U.S. history. All of these attacks on federal employees harm morale, hurt recruitment and retention of qualified, expert workers serving our nation, and devastate families who are denied pay through no fault of their own. LIUNA calls on Congress to protect federal employees' retirement security programs and to prevent further attacks on union rights.



POSTAL REFORM

LIUNA is proud to have the National Postal Mail Handlers Union (NPMHU) and its 47,000 members as an affiliate. Mail handlers are an essential part of the mail processing and distribution network utilized by the Postal Service to move more than 165 billion pieces of mail each year. NPMHU members work in all of the nation's large postal plants throughout the fifty states and Puerto Rico and are responsible for moving, preparing, sorting, and containerizing the mail for distribution and delivery.

Proper postal reform legislation will provide fundamental updates and changes to the United States Postal Service and the hundreds of thousands of hard working men and women it employs. Moreover, this legislation is long overdue. The last time Congress was able to pass postal reform was over 13 years ago.



VOTING RIGHTS

LIUNA supports measures that protect every citizen's right to vote and ensure the government's responsibility to protect this right. Voting is the very cornerstone of our democracy. The Voting Rights Act, championed by the Civil Rights movement, and ultimately made possible by everyday individuals who stood up and marched to demand justice, has played a tremendous role in giving disenfranchised communities a voice at the ballot box. The voter suppression we saw in the 2018 elections underscores the need for reform more than ever. In 2013, the Supreme Court's *Shelby County v. Holder* decision eviscerated Section 5 of the landmark Voting Rights Act, consequently crippling the federal government's ability to prevent discriminatory changes to state voting laws and procedures. In the wake of *Shelby County*, states across the country imposed voting restrictions that have systematically disenfranchised minority communities across the country and made voting more difficult. The Voting Rights Advancement Act introduced by Senator Leahy and Congresswoman Sewell would restore Section 5 of the Voting Rights Act, improve and modernize the landmark legislation, and provide the federal government with other critical tools to combat what has become a full-fledged assault on Americans' right to vote. LIUNA calls on Congress to pass S. 561 and H.R. 4.

LIUNA!

Feel the Power

LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

www.LIUNA.org

Contact the LIUNA Legislative and
Political Department at (202) 942-2361

905 16th Street, NW
Washington, DC 20006