



LEGISLATIVE

2021 117th 2022

CONGRESS

★ PRIORITIES ★

LiUNA!

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LIUNA LEGISLATIVE PRIORITIES FOR THE 117TH CONGRESS

The Laborers' International Union of North America (LIUNA) proudly represents over 500,000 hardworking men and women throughout North America. LIUNA members are a skilled and experienced union workforce trained to work safely in the construction and energy industries. Our members build infrastructure—from roads and bridges to buildings, tunnels, transit, schools, and skyscrapers. Our members also work in every area of the energy sector, helping to build and maintain natural gas and oil pipelines, nuclear facilities, gas and coal fired power plants, and solar plants and wind farms. They are also certified to install rainwater catchment systems and trained to build water and sewer systems. LIUNA also represents over 70,000 public and federal employees. LIUNA public employees provide critical services from health care and sanitation to road maintenance and emergency response. The National Postal Mail Handlers Union (NPMHU), which represents 47,000 Mail Handlers employed by the United States Postal Service, is also affiliated with LIUNA.



INFRASTRUCTURE

America's infrastructure was once the envy of the world. Now the American Society of Civil Engineers give the United States a grade of C- 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, and 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 destination in a timely manner. People without cars should be allowed to have transportation options both locally and to travel to other cities and states. Businesses and consumers need to move goods and services quickly and efficiently. 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 too many customers to turn on their air conditioning at the same time or to spend too much to heat their homes in winter.

Inaction has not only hurt the United States' economy, but has also impacted the physical health of our citizens. The time is now for bold infrastructure investment. President Biden has promised a Build Back Better infrastructure plan. LIUNA will work with the Administration and Congress to ensure that we pass an infrastructure bill this Congress.

Highway Bill/Surface Transportation Act

While LIUNA will work towards a big infrastructure package, a five year reauthorization of the highway bill is LIUNA's top legislative priority when it comes to infrastructure. Most of the federal surface transportation programs are currently authorized under a one year extension of the Fixing America's Surface Transportation Act (FAST Act), which was a 5-year, \$305 billion law that will expire in October of 2021. Without reauthorization, the nation will again face

a cliff in road and highway funding that will either result in the projects grinding to a halt, or 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.

The program needs additional resources in order to meet the demands of a growing nation and keep our transportation networks functioning. LIUNA also supports funding the program with a sustainable and dedicated revenue stream that will continue to grow as demand grows.

Currently the Highway Trust Fund is financed predominantly with an 18.3 cents per gallon tax on gasoline. This user fee hasn't been increased since the Clinton administration. While it isn't politically popular to raise revenue via user fees, LIUNA believes that it is the most politically practical way to raise revenue, particularly when those user fees go toward the investments for which they were intended. Additionally, this fee is also used to fund the federal transit programs which help provide people transportation options if they do not have access to a car.

While the Federal Gas Tax is the most fair, honest, and efficient way to raise the funds for road and transit funding, we also support other user-based fees along with 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 like an infrastructure bank, Public Private Partnerships, and bonding mechanisms to increase private investments into publicly accessible infrastructure. However, they must be structured correctly and with the necessary labor protections and requirements to ensure that high-road middle class jobs are created.

Energy Infrastructure and Climate Change

The second largest sector of work for LIUNA members has been in the energy sector. Many of our members go to work every day, developing our nation's abundant energy resources, keeping the lights on for millions of Americans across the country. Our work reflects our position when it comes to energy—that is, an all-the-above approach to energy policy. Our members build and maintain pipelines, windfarms, solar fields, hydropower plants, nuclear facilities, and refineries. While LIUNA believes that it is important to combat climate change, we do not believe in doing so in a way that eliminates entire energy sectors. This makes no sense for our country, our economy, or our members. Policy makers must set realistic goals and be thoughtful as to the needs, opportunity, and ingenuity of America's technologies and energy infrastructure while addressing climate change.

Natural Gas Infrastructure and the Drive to 100% Renewable

There is no question that natural gas will be required as the U.S. moves towards a cleaner energy future and away from traditional forms like coal and oil. That means it is imperative that we are able to maintain our natural gas network in order to meet our nation's demand as the drive to decarbonize our energy sector moves forward. In fact, the natural gas pipeline industry has

provided millions of work hours and tens of thousands of careers for our members, while helping to decrease our nation's net greenhouse gas emissions. We must be able to repair and replace our existing natural gas infrastructure and, where necessary, expand it. There are efforts across the country to ban natural gas. LIUNA opposes such efforts and asks lawmakers to embrace the importance of natural gas as part of our clean energy future.

Create Good Union Jobs in the Clean Energy Sector

As the 117th Congress looks to Build Back Better and build the clean energy economy, it is imperative that it be done right. There are responsible employers who build union, pay prevailing wages, and invest in safe, skilled workers and provide opportunity, and there are those with whom these employers and workers regularly compete: contractors who avoid paying prevailing wages and survive through wage theft, unsafe workplaces, and other exploitative practices that continually undermine economic opportunity. It is imperative that any legislation promoting renewable energy, whether through tax credits or direct support, has labor protections up front including prevailing wage standards. For too long, the wind and solar industries have benefited from tax credits that have no labor standards, thereby making many of the jobs created by these sectors low road jobs. In order to move towards a clean energy future that creates good jobs, Congress must pass legislation that benefits workers and not just the renewable sector. With federal dollars comes federal responsibilities.

Water Infrastructure

Federal investments in our Nation's water infrastructure fall 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. LIUNA strongly supports its passage every Congress. LIUNA also supports continued investments through 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 and the U.S. Environmental Protection Agency's (EPA) successful Water Infrastructure Financing and Innovation Act (WIFIA).

State Revolving Funds (SRFs): Many of the nation's water systems were built in the early to mid-20th century with reasonable lifespans of seventy-five (75) to one hundred (100) years. Congress must prioritize repairing 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 take wage compensation rates out of the competitive bidding process on public projects. With uniform labor costs, contractors 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, but it also preserves the living standards of all construction workers and their families throughout the country. LIUNA strongly supports inclusion of Davis-Bacon on all infrastructure legislation and opposes any effort to weaken or repeal the Davis-Bacon Act.

Multi-Employer Health Care

LIUNA health trust funds have provided medical, hospital, prescription drug, and other valuable benefits to hundreds of thousands of LIUNA members, their families, and retirees for generations. By trading wages for collectively bargained employer contributions to the health funds, LIUNA members have always paid for their own coverage and are well aware of the costs of health care.

We appreciate that Congress repealed the Cadillac Tax, and we remain firmly opposed to unfair taxes on our collectively bargained health benefits and will oppose efforts to tax these plans.

Self-funded Healthcare vs. Medicare for All/Universal Health Care

One of the most critical needs for LIUNA members and their families during the COVID dual health and economic crises is to protect their health coverage. LIUNA's vast network of over 100 health and welfare funds provides comprehensive health care for our members and their families. Laborers pay for this health coverage by trading wages for collectively bargained employer contributions to the LIUNA funds.

While a national single-payer safety net program is an admirable goal, LIUNA cautions rushing into a major change to our health care system that would disrupt successful health programs like ours. LIUNA believes that an employer based model, where all employers are encouraged to provide adequate insurance to all employees, is a better approach than politically charged efforts to force everyone into a single payer system. Having employers provide at least a basic level of health insurance will remove any economic advantage that low-road employers rely on to undercut their more responsible competitors.

Multi-Employer Pension Reform

LIUNA is committed to ensuring the retirement security of our members and their families. Hundreds of thousands of LIUNA members depend on our union's network of multiemployer pension funds for a retirement income that will last for their lives and the lives of their surviving spouses. Many billions of dollars in benefits have been paid by these pension funds over the past five decades. The pension funds' assets must be dedicated to funding pensions for retirees, future as well as present members, and not be diverted to Pension Benefit Guaranty Corporation (PBGC) premiums.

LIUNA is pleased that Congress recently passed multi-employer pension relief by including it in the American Rescue Plan that became law earlier this year. The pension provisions in the relief bill will provide necessary federal assistance and help ensure the solvency of the multi-employer system. We will monitor the process of the implementation of multi-employer pension relief to ensure that the execution of the program is consistent with the intent of Congress.

LIUNA will also continue to support efforts to allow multi-employer plan trustees more flexibility and choice in designing pension programs that better fit their circumstances, including volatile investment markets, collective bargaining structures and competitive pressures. Our guiding principle is to allow multi-employer plans that are healthy to make structural changes, if they choose, so they can continue to provide retirement security for workers and their families in the years to come.



IMMIGRATION REFORM

Comprehensive Immigration Reform

LIUNA is a nation founded by immigrants over one-hundred years ago. We support comprehensive immigration reform (CIR) including a path to citizenship for undocumented workers and their families. LIUNA also supports passage of legislation to protect Dreamers and Temporary Protected Status (TPS) holders. As part of CIR, Congress should increase enforcement and penalties on employers who hire and abuse undocumented and foreign workers.

Guest Worker Visas

Unscrupulous employers continue to import captive foreign labor instead of recruiting and hiring workers already in the U.S., including in the construction and landscape industries. The H-2B guest worker visa program is full of fraud and has even been used for human trafficking; dozens of H-2B employers have been found to have broken the law and yet continue to get these visas. LIUNA calls on Congress to stop issuing more H-2B guest worker visas, especially during this time of hugely increased unemployment during the COVID crisis; to eliminate construction as an H-2B guest worker visa job classification; to increase enforcement of H-2B recruiting rules to ensure that workers already in the US can apply for and get these jobs; and to permanently bar any employer who has broken the law from getting any H-2B visas. LIUNA also calls on Congress to support the provision in the Farmworker Modernization Act Congress to bar H-2A agricultural visas for construction workers.



LABOR LAW

PRO Act

The right to join a union and collectively bargain is critical to ensure workers receive fair pay and benefits and safe jobsites. LIUNA supports the Protecting the Right to Organize (PRO) Act, which will expand the National Labor Relations Act (NLRA) to ensure that workers and unions have real, enforceable protections under the law.

One of the most significant problems with the NLRA is the absence of effective remedies for workers against employers who break the law. Often, employers fire union supporters to defeat union organizing efforts, knowing that the penalty is low—only lost wages—and even that is reduced by the amount the worker earns on any other work that he/she finds after getting fired. The PRO Act will address this serious problem by authorizing the National Labor Relations Board (NLRB) to impose penalties of up to \$50,000 for unfair labor practices like this.

The PRO Act strengthens workers' and unions' representational rights and protects immigrants' labor rights. It adopts the so-called ABC test for distinguishing employees from independent contractors, defining workers as an independent contractor only if (1) the individual is free from the employer's control and direction, (2) the service is outside the normal course of the employer's business and (3) the individual is customarily engaged in an independently established trade or business. The bill will also prevent employers from misclassifying workers as supervisors and establish that employers with control over employees are held responsible for their actions in the workplace, including users of temp agencies.

The PRO Act will prevent employers from practices that discourage union organizing. For example, the bill bans "captive audience" meetings. Importantly, it will push back on the recent so-called "right to work" laws harming unions and our members, by allowing unions to recover fair share fees covering the costs of collective bargaining and representation.



APPRENTICESHIP AND TRAINING

LIUNA urges Congress and the Biden Administration to promote and support self-funded registered apprenticeship programs such as the ones that LIUNA has offered for decades along with our partner employers. These important registered apprenticeship programs help workers earn as they learn. This state-of-the-art training is free and accessible to participating contractors, members, apprentices, and pre-apprentices across the U.S. and Canada through over seventy (70) affiliated training centers. Apprenticeship programs must have adequate enforcement and standards to prevent wage reduction, safety violations, or weakening of other labor standards. While community colleges play a role in educating future workers, those programs must include registered apprenticeship and job paths at least equal to those of our union apprenticeship programs. LIUNA cautions Members of Congress on initiatives to fund new training programs without careful consideration in order to avoid undermining our existing successful programs. LIUNA supports H.R. 447, the bipartisan National Apprenticeship Act, which invests more than \$3.5 billion over five (5) years in expanding opportunities and access to registered apprenticeships and pre-apprenticeships, among others.



PUBLIC AND FEDERAL EMPLOYEES

LIUNA represents over 70,000 public and federal employees. They provide critical healthcare services, keep our parks clean, maintain our roads, process our mail, work in our educational institutions, and respond to emergencies both foreign and domestic. They work in all kinds of harsh environments and often put their lives at risk. LIUNA is committed to fighting for the rights of our members to have fair wages and good working conditions through the collective bargaining process—at all levels of government.

LIUNA advocated for funding in the American Recovery Plan (ARP) to help state and local governments respond to rising spending demands due to the pandemic. State revenues were restored to pre-pandemic 2019 levels. We will continue to fight for the necessary funding to ensure quality and adequate public services.

Over the past decade, federal workers have contributed over \$180 billion toward deficit reduction in the form of pay freezes, sequestration, government shutdowns, retirement security cuts, and more. Thankfully, President Biden overturned many of the harmful Executive Orders from the last Administration in his first week in office that had ended due process and official time and limited bargaining for federal workers and their unions. LIUNA supports a pay increase for federal workers, adequate agency funding, and to preserve and protect our bargaining and other 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 143 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.

However, since Congress last addressed postal reform in 2006, the United States Postal Service has faced significant financial losses due to a burdensome mandate to prefund retiree healthcare benefits, over payment to retirement funds, price caps, and diminished service standards that do nothing but drive customers away.

LIUNA calls for postal reform legislation that repeals the prefunding mandate and provides prospective Medicare integration; changes USPS accounting practices to properly calculate healthcare and retirement liabilities; and, follows the Postal Regulatory Commission's recommendation of using market-dominant rates. Additionally, LIUNA and NPMHU will push back on unnecessary and harmful facility closures and consolidations.



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. Unfortunately, we are seeing hundreds of voter suppression bills filed in state houses across the country using the lie of voter fraud as a pretext to suppress one's right to vote.

LIUNA calls on Congress to pass the John Lewis Voting Rights Advancement Act which would restore Section 5 of the Voting Rights Act, improve and modernize the landmark law, and provide the federal government with other critical tools to combat what has become a full-fledged assault on Americans' right to vote. We need to make it easier, not harder for people to register and vote. It is critically important that Congress take action on voting rights this year. We must protect and strengthen the integrity of our democracy.

NOTES

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LABORERS' INTERNATIONAL UNION OF NORTH AMERICA

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