



Kriss Worthington

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CONSENT CALENDAR

September 10, 2013

To: Honorable Mayor and Members of the City Council

From: Kriss Worthington, District 7, Berkeley City Council
 Darryl Moore, District 2, Berkeley City Council

Subject: Thank Senator Ellen Corbett for authoring Senate Bill 776: Restrict Sham
 “Labor-Compliance Committees” from Taking Earning from Workers
 Paychecks

RECOMMENDATION

Send a letter of thanks to Senator Ellen Corbett, who authored Senate Bill 776, which prevents anti-union groups and contractors from taking earnings from workers paychecks to fund sham labor compliance committees.

BACKGROUND

Under existing law, contractors on public works projects are required to pay their employees the prevailing wage of the craft and locality in which the work is performed. A portion of that obligation can be satisfied by paying fringe benefits, which include payments to “monitor and enforce worker protection laws. However, some anti-union contractors satisfy this requirement by putting their workers’ money into “labor compliance committees” which have no worker participation in setting them up, running them cooperatively, or even using them to ensure labor compliance. Instead these “labor compliance committees” are used to advance anti-union contractor’s political agenda.

Senate Bill 776 ensures that contractor’s payments for monitoring and enforcing laws cannot count as credit toward a contractor’s obligation to pay prevailing wages, if those payments are not made through a joint program or committee established by the Federal Labor Management Cooperation Act of 1978. Workers will have a voice in deciding how their money will be used and protected against labor compliance committees that seek to undermine them.

FINANCIAL IMPLICATIONS

Unknown

CONTACT

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Attachment: Letter of Thanks to California State Senator Ellen Corbett

Dear Senator Ellen Corbett,

The Berkeley City Council would like to thank you for authoring the bill, SB 776. This bill is vital to ensuring anti-union groups and contractors are prevented from taking workers' earnings to fund sham labor compliance committees.

Under existing law, contractors on public works projects are required to pay their employees the prevailing wage or the craft and locality in which the work is performed. A portion of that obligation can be satisfied by paying fringe benefits, which include payments to "monitor and enforce worker protection laws. However, anti-union contractors satisfy this requirement by putting their workers' money into "labor compliance committees" which have no worker participation in setting them up, running them cooperatively, or even using them to ensure labor compliance. Instead these "labor compliance committees" are used to advance anti-union contractor's political agenda.

Senate Bill 776 ensures that contractor's payments for monitoring and enforcing laws relation to public works cannot count as credit toward a contractor's obligation to pay prevailing wages, if those payments are not made through a joint program or committee established by the Federal Labor Management Cooperation Act of 1978. Workers will have a voice in deciding how their money will be used and protected against labor compliance committees that seek to undermine them.

Thank you for bringing this issue to light. We are glad to hear that your bill passed.

Sincerely,

The Berkeley City Council