

The San Diego
Union-Tribune.

Contractors group sues SDUSD over Prop S pact

7/30/2009

By Dana Littlefield

A local contractors association filed a lawsuit Thursday against the San Diego Unified School District, claiming that its agreement ensuring labor guarantees for projects funded through a recent bond measure are discriminatory.

Officials with the San Diego chapter of the Associated General Contractors of America say the agreement prevents non-union apprentices from working on projects funded through Proposition S, a \$2.1 billion bond measure passed by voters in November.

Funds from the bond measure are to be used to build and renovate schools throughout San Diego.

According to the lawsuit, the district's board approved the Project Stabilization Agreement in May requiring all contractors and subcontractors who bid for work on those construction projects to use apprentices from union-affiliated training programs.

The board voted 3-2 in favor of the policy.

The AGC's apprenticeship and training program, which has about 750 participants, is not affiliated with a union. Officials said the program has been approved by the state since 1988 and has graduated nearly 1,000 men and women trained in skills including carpentry, drywall finishing, and painting.

Through their lawsuit, AGC officials are seeking a court order directing the school district to set aside the agreement and declare it invalid under state law.

"AGC and our 1,300 member firms do not believe it is lawful for this school board to usurp the authority of the Department of Apprenticeship Services or the California Apprenticeship Council," said Jim Ryan, executive vice president of the AGC's local chapter.

"These agencies, not the board, have the statutory obligation to oversee apprenticeship programs on all publicly financed projects," he said at a news conference Thursday.

School district board member Richard Barrera, reached by phone Thursday, said issues highlighted in the lawsuit have been raised in other parts of the state and were found to be fair.

"It seems like they're rehashing issues that have already been handled in other jurisdictions," Barrera said.

San Diego's Center on Policy Initiatives, a local advocacy group, supports the agreement, saying it prevents companies that hire low-paid workers from cutting corners on safety and

health benefits.

Stephanie Monroe, the center's organizing director, said 28 other school-and community college districts throughout California have project labor agreements, about six of which include provisions for local hiring.

"This is the way we get quality, permanent careers, health care for workers and their families and use local workers," Monroe said.

But AGC officials say the policy will leave many skilled craftsmen and women in the cold.

James Ray, a 49-year-old father of four from San Diego's Skyline neighborhood, is slated to finish a three-year training program at AGC in December after which he expects to receive a certificate of completion from the state.

"We just want the chance to take care of our families and you know, be a blessing . . .," Ray said at the news conference. "What do we do now?"