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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- PROJECT LABOR AGREEMENTS

Introduced By: Senators Burke, Bissailon, Thompson, Famiglietti, Patalano, Raptakis,
and Tikoian

Date Introduced: February 27, 2026

Referred To: Senate Labor & Gaming

It is enacted by the General Assembly as follows:

1 SECTION 1. Legislative findings.

2 The general assembly recognizes and finds that:

3 (1) The Rhode Island Supreme Court has held that before any public entity includes a
4 project labor agreement ("PLA") in a bid specification for a public contract, the public entity must
5 first complete an objective, reasoned study using reviewable criteria to determine that the adoption
6 of a PLA helps achieve the goals of the state purchases act. Associated Builders & Contractors of
7 RI, et al. v. Depart. of Administration, 787 A.2d 1179, 1189 (R.I. 2002). Since that decision was
8 rendered, there have been sixty (60) independent, objective reasoned studies for large-scale public
9 works projects that have concluded that including a PLA in a bid specification will achieve the
10 goals and objectives of the state purchases act.

11 (2) PLAs have been used extensively in Rhode Island and throughout the country to
12 facilitate the construction of large-scale construction projects because they ensure that craft labor
13 used on projects is supported by proper skill training through high quality, registered apprenticeship
14 training programs; and reliable project staffing through well-established hiring hall systems:
15 advantages that promote economy and efficiency in capital project delivery. In addition, PLAs
16 provide uniform project terms and conditions of employment for all workers and contractors,
17 contain no-strike/no lockout provisions, and various other contract features that facilitate effective
18 and timely project delivery.

19 (3) These outcomes have been proven by the sixty (60) independent studies completed by

1 Rhode Island public contracting agencies on the one hundred ten (110) large-scale construction
2 projects in Rhode Island over the last twenty-five (25) years, and are mirrored by top Federal
3 procurement authorities, which stress that PLAs provide the leading market strategy in the
4 construction industry for securing a reliable craft labor supply for large-scale capital projects. See
5 e.g., Dept. of Defense, Gen. Serv. Admin., Nat'l Aeronautics and Space Admin., Federal
6 Acquisition Regulation: Use of Project Labor Agreements for Federal Construction Projects, 88
7 Fed. Reg. 88708, 88711-88712. (Dec. 22, 2023) (codified at 48 C.F.R. 1, 7, 22, 36, 52).

8 SECTION 2. Title 37 of the General Laws entitled "PUBLIC PROPERTY AND WORKS"
9 is hereby amended by adding thereto the following chapter:

10 CHAPTER 2.7

11 PROJECT LABOR AGREEMENTS

12 **37-2.7-1. Definitions.**

13 As used in this chapter:

14 (1) "Apprenticeable trade" means a craft or trade that will necessarily be employed
15 pursuant to a project labor agreement and meets the criteria for apprenticeable occupations set forth
16 in 29 C.F.R. § 29.4.

17 (2) "Apprenticeship agreement" means a written agreement complying with 29 C.F.R. §
18 29.7 between an apprentice and either the apprenticeship program sponsor, or an apprenticeship
19 committee acting as an agent for the program sponsor(s), that contains the terms and conditions of
20 the employment and training of the apprentice.

21 (3) "Apprenticeship program" means a structured, systematic, on-the-job, supervised
22 learning that is clearly identified and commonly recognized throughout an industry and involves
23 the progressive attainment of manual, mechanical, or technical skills and knowledge in accordance
24 with a written plan containing all terms and conditions for the qualification, recruitment, selection,
25 employment, and training of apprentices in accordance with 29 C.F.R. § 29.2 and 30 et seq.

26 (4) "Construction labor organization" means a labor organization in the construction
27 industry that:

28 (i) Operates a bona fide apprenticeship program in the trade or craft in which the union
29 provides construction services that is registered with and approved by the U.S. Department of Labor
30 or a state apprenticeship agency pursuant to 29 C.F.R. § 29.3; and

31 (ii) Operates a hiring hall or other job referral system in the trade or craft in which the
32 union provides construction services to deploy craft labor in accordance with project staffing needs.

33 (5) "Contractor" shall have the same meaning as in § 37-13-2.

34 (6) "Craft labor" means workers employed on a public works project subject to this section

1 in all trades or crafts that must be paid state prevailing wages pursuant to the provisions of chapter
2 13 of this title ("labor and payment of debts by contractors").

3 (7) "Large-scale state public works project" shall have the same meaning as in § 37-13-1
4 for a contract valued at twenty-five million dollars (\$25,000,000) or more.

5 (8) "Project labor agreement" or "PLA" means a pre-hire collective bargaining agreement
6 with one or more labor organizations that establishes the terms and conditions of employment for
7 a specific construction project, as may be described in 29 U.S.C. § 158(f).

8 (9) "State contracting agency" means a state agency, quasi-state agency or public agency
9 as such terms are defined in § 37-2-7, or a public university or college undertaking construction
10 contracts in the State of Rhode Island but excludes the Rhode Island department of transportation.

11 **37-2.7-2. Use of project labor agreements by state agencies.**

12 (a) There shall be a presumption to use project labor agreements on large-scale state public
13 works projects to promote the reliable and adequate supply of qualified labor, to protect capital
14 investments, and to offset performance risks. Incorporation of a PLA in a bid or proposal
15 specification shall be administered in compliance with the requirements of this chapter.

16 (b) Notwithstanding the presumption that project labor agreements will substantially
17 benefit large-scale state public works projects, certain projects may be exempted in accordance
18 with the following:

19 (1) If a PLA is not used, the state contracting agency responsible for the project shall issue
20 a written determination at least thirty (30) days prior to the invitation for bids or request for
21 proposals providing the grounds for the determination that a PLA will not promote an adequate
22 supply of qualified craft labor required for the project.

23 (2) This determination shall be made by the chief procurement officer or an equivalent
24 senior official of the state contracting agency and include a detailed explanation of the reasons
25 supporting the determination which shall be reviewed by the agency's highest ranking official, who
26 shall confirm or reverse the determination in a written review decision.

27 (3) For any large-scale state public works project for which a PLA is not used, the state
28 contracting agency shall require bidders or offerors to submit a certified craft labor staffing plan,
29 which shall be a material term of the construction contract, that provides information demonstrating
30 the staffing capabilities of the lead contractor and all other project contractors used on the project,
31 including:

32 (i) The specific apprenticeship programs or other training programs used to ensure
33 adequate and verifiable skills for all craft labor classifications needed for the project; and

34 (ii) The sources that will be relied upon to recruit and deploy qualified craft labor in

1 accordance with project scheduling requirements.

2 (4) The craft labor staffing plan, which shall constitute a mandatory condition of contractor
3 responsibility, shall be reviewed and approved by the state contracting agency to ensure it provides
4 reasonably strong assurances that the project contractors will ensure a reliable and adequate supply
5 of qualified craft labor required for the project.

6 (c) A state contracting agency may, in its discretion, require a project labor agreement on
7 contracts for non-large scale public works projects, and may require the project labor agreement to
8 be incorporated into the contract specifications; provided that, the state or municipal agency has
9 made a determination prior to issuing a request for proposals or bids that use of a project labor
10 agreement on a particular project is in the best interest of the state or public agency.

11 (d) In making a determination of the best interest of a state or public agency pursuant to
12 subsection (c) of this section, the state, public agency or municipality shall consider the following
13 on a project-by-project basis:

14 (1) Construction efficiency, cost and direct and indirect economic benefits to the state or
15 public agency;

16 (2) The availability of a sufficient supply of skilled, qualified workers to complete the
17 project;

18 (3) The timing of, and the prevention of delays or disruptions to, the construction process;

19 (4) The safety and quality of the public construction project; and

20 (5) The expansion of registered apprenticeship programs and workforce development in
21 the construction industry.

22 **37-2.7-3. Mandatory provisions to be included in any public works project labor**
23 **agreement.**

24 (a) Any project labor agreement utilized pursuant to this chapter shall:

25 (1) Bind all contractors and subcontractors working on the public works project through
26 the inclusion of appropriate specifications in all relevant solicitation provisions and contract
27 documents and requiring execution of the project labor agreement as a contractual requirement and
28 material term of construction contracts applicable to the project;

29 (2) Allow all contractors and subcontractors on the construction project to compete for
30 contracts and subcontractors without regard to whether they are otherwise parties to collective
31 bargaining agreements;

32 (3) Contain guarantees against strikes, lockouts and similar job disruptions and set forth
33 effective, prompt, and binding procedures for resolving labor disputes arising during the term of
34 the project labor agreement;

1 (4) Require that no less than fifteen percent (15%) of the total labor hours worked on the
2 project be performed by apprentices in registered apprentice programs; and

3 (5) Permit the inclusion of additional mechanisms for labor management cooperation on
4 matters of mutual interest and concern, including the health and safety of the workforce and
5 compliance with applicable state statutes and regulations.

6 **37-2.7-4. Severability.**

7 Nothing in this chapter shall be construed to contravene any state or federal law or to
8 jeopardize the state's entitlement to federal funding. If any provision of this chapter or its
9 application is held invalid by any court of competent jurisdiction, the invalidity shall not affect any
10 other provision or application of this chapter that can be given effect without the invalid provision.
11 The provisions of this chapter are declared to be severable.

12 SECTION 3. Title 45 of the General Laws entitled "TOWNS AND CITIES" is hereby
13 amended by adding thereto the following chapter:

14 CHAPTER 71

15 PROJECT LABOR AGREEMENTS -- TOWNS AND CITIES

16 **45-71-1. Definitions.**

17 As used in this chapter:

18 (1) "Apprenticeable trade" means a craft or trade that will necessarily be employed
19 pursuant to a project labor agreement and meets the criteria for apprenticeable occupations set forth
20 in 29 C.F.R. § 29.4.

21 (2) "Apprenticeship agreement" means a written agreement complying with 29 C.F.R. §
22 29.7 between an apprentice and either the apprenticeship program sponsor, or an apprenticeship
23 committee acting as an agent for the program sponsor(s), that contains the terms and conditions of
24 the employment and training of the apprentice.

25 (3) "Apprenticeship program" means a structured, systematic, on-the-job, supervised
26 learning that is clearly identified and commonly recognized throughout an industry and involves
27 the progressive attainment of manual, mechanical, or technical skills and knowledge in accordance
28 with a written plan containing all terms and conditions for the qualification, recruitment, selection,
29 employment, and training of apprentices in accordance with 29 C.F.R. § 29.2.

30 (4) "Construction labor organization" means a labor organization in the construction
31 industry that:

32 (i) Operates a bona fide apprenticeship program in the trade or craft in which the union
33 provides construction services that is registered with and approved by the U.S. Department of Labor
34 or a state apprenticeship agency pursuant to 29 C.F.R. § 29.3; and

1 (ii) Operates a hiring hall or other job referral system in the trade or craft in which the
2 union provides construction services to deploy craft labor in accordance with project staffing needs.

3 (5) "Contractor" shall have the same meaning as in § 37-13-2.

4 (6) "Craft labor" means workers employed on a public works project subject to this section
5 in all trades or crafts that must be paid state prevailing wages pursuant to the provisions of chapter
6 13 of this title ("labor and payment of debts by contractors").

7 (7) "Large scale municipal public works project" shall have the same meaning as in § 37-
8 13-1 for a contract valued at twenty-five million dollars (\$25,000,000) or more in actual
9 construction costs, for which the state provides thirty-five percent (35%) or more of the
10 construction budget for the project, excluding design, engineering, or other non-construction costs.

11 (8) "Municipal contracting agency" means any city or town government, or local education
12 agency, undertaking construction contracts in the State of Rhode Island.

13 (9) "Project labor agreement" or "PLA" means a pre-hire collective bargaining agreement
14 with one or more labor organizations that establishes the terms and conditions of employment for
15 a specific construction project, as may be described in 29 U.S.C. § 158(f).

16 **45-71-2. Use of project labor agreements by municipal agencies.**

17 (a) There shall be a presumption to use project labor agreements on large-scale municipal
18 public works projects to promote the reliable and adequate supply of qualified labor, to protect
19 capital investments, and to offset performance risks. Incorporation of a PLA in a bid or proposal
20 specification shall be administered in compliance with the requirements of this chapter.

21 (b) Notwithstanding the presumption that project labor agreements will substantially
22 benefit large-scale municipal public works projects, certain projects may be exempted in
23 accordance with the following:

24 (1) If a PLA is not used, the municipal contracting agency responsible for the project shall
25 issue a written determination at least thirty (30) days prior to the invitation for bids or request for
26 proposals providing the grounds for the determination that a PLA will not promote an adequate
27 supply of qualified labor required for the project.

28 (2) This determination shall be made by the chief procurement officer or an equivalent
29 senior official of the state contracting agency and include a detailed explanation of the reasons
30 supporting the determination which shall be reviewed by the agency's highest ranking official, who
31 shall confirm or reverse the determination in a written review decision.

32 (3) For any large-scale municipal public works project for which a PLA is not used, the
33 municipal contracting agency shall require bidders or offerors to submit a certified project labor
34 staffing plan, which shall be a material term of the construction contract, that provides information

1 demonstrating the staffing capabilities of the lead contractor and all other project contractors used
2 on the project, including:

3 (i) The specific apprenticeship programs or other training programs used to ensure
4 adequate and verifiable skills for all labor classifications needed for the project; and

5 (ii) The sources that will be relied upon to recruit and deploy qualified labor in accordance
6 with project scheduling requirements.

7 (4) The craft labor staffing plan, which shall constitute a mandatory condition of contractor
8 responsibility, shall be reviewed and approved by the state contracting agency to ensure it provides
9 reasonably strong assurances that the project contractors will ensure a reliable and adequate supply
10 of qualified craft labor required for the project.

11 (c) A municipal contracting agency may, in its discretion, require a project labor agreement
12 on contracts for non-large- scale public works projects, and may require the project labor agreement
13 to be incorporated into the contract specifications; provided that, the municipal contracting agency
14 has made a determination prior to issuing a request for proposals or bids that use of a project labor
15 agreement on a particular project is in the best interest of the municipality.

16 (d) In making a determination of the best interest of a municipality pursuant to subsection
17 (c) of this section a municipal contracting agency shall consider the following on a project-by-
18 project basis:

19 (1) Construction efficiency, cost and direct and indirect economic benefits to the state or
20 public agency;

21 (2) The availability of a sufficient supply of skilled, qualified workers to complete the
22 project;

23 (3) The timing of, and the prevention of delays or disruptions to, the construction process;

24 (4) The safety and quality of the public construction project; and

25 (5) The expansion of registered apprenticeship programs and workforce development in
26 the construction industry.

27 **45-71-3. Mandatory provisions to be included in any public works project labor**
28 **agreement.**

29 (a) Any project labor agreement utilized pursuant to this chapter shall:

30 (1) Bind all contractors and subcontractors working on the public works project through
31 the inclusion of appropriate specifications in all relevant solicitation provisions and contract
32 documents and requiring execution of the project labor agreement as a contractual requirement and
33 material term of construction contracts applicable to the project;

34 (2) Allow all contractors and subcontractors on the construction project to compete for

1 contracts and subcontractors without regard to whether they are otherwise parties to collective
2 bargaining agreements;

3 (3) Contain guarantees against strikes, lockouts and similar job disruptions and set forth
4 effective, prompt, and binding procedures for resolving labor disputes arising during the term of
5 the project labor agreement;

6 (4) Require that no less than fifteen percent (15%) of the total project workforce shall
7 consist of registered apprentices covered by apprenticeship agreements; and

8 (5) Permit the inclusion of additional mechanisms for labor management cooperation on
9 matters of mutual interest and concern, including the health and safety of the workforce and
10 compliance with applicable state statutes and regulations.

11 **45-71-4. Severability.**

12 Nothing in this chapter shall be construed to contravene any state or federal law or to
13 jeopardize the state's entitlement to federal funding. If any provision of this chapter or its
14 application is held invalid by any court of competent jurisdiction, the invalidity shall not affect any
15 other provision or application of this chapter that can be given effect without the invalid provision.
16 The provisions of this chapter are declared to be severable.

17 SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

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RELATING TO PUBLIC PROPERTY AND WORKS -- PROJECT LABOR AGREEMENTS

1 This act would create multiple chapters relating to project labor agreements to promote the
2 use of project labor agreements on large-scale state public works projects to promote the supply of
3 reliable and adequate qualified labor.

4 This act would take effect upon passage.

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