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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2026

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A N A C T

RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

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. Chapter 37-2 of the General Laws entitled "State Purchases" is hereby
2 amended by adding thereto the following section:

3 **37-2-24.1. Project labor agreements.**

4 (a) Legislative purpose. The purpose of this section is to protect investments in public
5 works projects, while promoting successful construction delivery and offsetting performance risks
6 through the use of project labor agreements (PLAs") in accordance with the requirements of this
7 section.

8 (b) Legislative findings. The general assembly recognizes and finds that:

9 (1) Capital investments in public works projects are among the state's largest budget
10 expenditures and construction contracts executed in connection with these projects present
11 substantial risks of cost overruns, schedule delays and other performance problems as the result of
12 weather, material costs, unforeseen site conditions and other factors that cannot be controlled,
13 which underscores the need to maximize effective management of factors that can be controlled.

14 (2) One factor that can be reasonably controlled in public works projects is the sourcing
15 and management of craft labor supply, which is crucial because construction is a highly skilled,
16 labor-intensive industry in which labor cost generally represents one-third (1/3) or more of the total
17 project budget. The importance of this factor is further heightened because unlike other sectors,
18 employers in the construction industry generally do not have a permanent workforce, and craft
19 labor demand fluctuates from project to project and during the course of a single project in

1 accordance with varying schedules and milestones. In addition, capital projects require the reliable
2 deployment of dozens to hundreds of skilled workers and the careful coordination of multiple prime
3 contractors, trade contractors, and subcontractors employing multiple construction trades or crafts
4 possessing individual, specialized training and skills. These challenges are significantly magnified
5 on large-scale construction projects.

6 (3) Substantial and growing evidence demonstrates that PLAs, which are pre-hire
7 collective bargaining agreements specially authorized under the Section 8(f) of the National Labor
8 Relations Act (29 U.S.C. §158(f)) to give construction employers the ability to address these unique
9 challenges, provide an effective mechanism for ensuring a reliable and adequate supply of qualified
10 craft labor required for capital projects.

11 (4) PLAs have been found to meet the challenges of the construction industry principally
12 because they give project owners and contractors the ability to ensure that qualified craft labor
13 resources will be sourced through building trades unions, which rely on both high quality registered
14 apprenticeship training programs that generate workers with known, certified skills and safety
15 qualifications, as well as hiring halls systems and other unique dispatch procedures to deploy
16 qualified craft labor personnel in accordance with project demand and fluctuating scheduling needs.
17 Additionally, PLAs benefit project owners and contractors by securing craft labor personnel before
18 construction is commenced in a pre-hire context, to ensure reliable and adequate craft labor supply
19 in advance of the project, which also allows for more predictable and accurate labor cost estimates
20 and overall bid or proposal prices.

21 (5) PLAs also promote successful project delivery by establishing uniform project terms
22 and conditions of employment for all labor and contractors used on the project, no-strike/no lockout
23 provisions, and other features that facilitate effective and timely project delivery. These agreements
24 have also been recognized by federal agencies and other project owners for advantages that include
25 promoting safety, preventing schedule disruptions from high labor turnover, and facilitating
26 effective workforce development, which is critically needed to address industry skill shortages and
27 to expand the pool of qualified labor required for future public works projects that are vital to new
28 infrastructure and capital building programs. This facilitation is also important because the New
29 England region is encountering acute, persistent skill shortages in the construction trades, as
30 evidenced by reports showing that, due to an aging workforce and a decline in vocational training,
31 contractors in the region are struggling to hire qualified labor. Further, the ability of PLAs to
32 promote workforce development can also be substantially strengthened when PLAs include
33 specific apprentice utilization provisions.

34 (6) The effectiveness of PLAs in facilitating reliable craft labor staffing, as well as

1 workforce development, is demonstrated by their long, successful track record both in Rhode Island
2 and across the country. While used for many decades throughout New England as a planning and
3 project delivery tool, PLAs have been increasingly and extensively used in Rhode Island for more
4 than twenty (20) years by federal, state, and local government agencies, institutions of higher
5 learning, schools, and leading corporations throughout the private sector. These agreements have
6 helped promote the successful delivery of over one hundred (100) major capital projects in Rhode
7 Island, collectively valued at more than ten billion dollars (\$10,000,000,000), and have resulted in
8 the continuous investment of millions of dollars per year into the highest performing apprenticeship
9 programs in the state. PLAs in Rhode Island have been relied upon to build airports, power plants,
10 manufacturing and industrial facilities, laboratories, hospitals, hotels, casinos, schools, universities,
11 government buildings and infrastructure projects. Over fifty (50) of these PLA projects were for
12 large-scale public works projects, representing the vast majority of public construction in Rhode
13 Island. Given this trend, PLA construction has become a market expectation for major public works
14 across the state.

15 (7) In Rhode Island's public sector, there have been over fifty (50) independent, objective
16 feasibility studies conducted over twenty (20) plus years that examined the application of PLAs on
17 individual large-scale public works projects, all of which uniformly found that PLAs promote a
18 reliable supply of qualified craft labor needed to meet construction schedules and facilitate timely
19 project completion, while ensuring compliance with the goals and objectives of chapter 2 of title
20 37 ("state purchases") including fair and effective competition. Over the course of this PLA history,
21 these various studies often reported similar findings since large-scale construction projects
22 routinely present the same basic craft labor supply challenges, and because the advantages PLAs
23 provide to such projects are also generally the same. Given the long, consistent record of PLAs in
24 promoting the successful delivery of Rhode Island public works projects, such studies are no longer
25 necessary and ultimately impose unnecessary cost and delays on state and local government
26 contracting agencies.

27 (8) The nation's experience with PLA construction mirrors Rhode Island's record. For
28 nearly a century, these agreements have been relied upon at all levels of government to promote
29 reliable project staffing on crucial infrastructure systems and other public works projects and are
30 utilized to an even greater extent by private corporations in virtually all major industries across the
31 economy. The federal government has recognized that PLAs have been used in all fifty (50) states,
32 and the umbrella organization for the nation's construction unions, North American Building
33 Trades Unions (NABTU), reported that there was approximately two hundred fourteen billion
34 dollars (\$214,000,000,000) in PLAs from January 2021 to July 2022.

1 (9) Due to the ability of these agreements to promote reliable craft labor staffing, foster
2 effective workforce development, and offset construction skill shortages, they have been promoted
3 by the U.S. Departments of Energy, Commerce, Treasury, Education, and Labor in both direct
4 federal construction and federally assisted construction programs. Since 2022, PLAs have been
5 mandated on large-scale federal projects pursuant to Executive Order 14063 (“use of project labor
6 agreements for federal construction projects”).

7 (10) The ability of PLAs to ensure reliable project staffing, and thereby promote cost-
8 efficient, timely performance, while maintaining full and open competition without regard to a
9 contractor’s union or non-union affiliation, that attracts more bidders and lower bid costs, has been
10 proven by substantial industry research, including reports from federal agencies, universities, non-
11 profit organizations, and construction management firms. In addition, a groundbreaking study by a
12 leading industry consulting firm produced a comprehensive study showing that, due to substantial
13 productivity advantages driven by the two (2) central advantages of PLAs -- strong apprenticeship
14 training and reliable hiring hall deployment systems -- craft labor supplied through building trade
15 unions resulted in lower in-place construction costs and significantly fewer performance risks

16 (11) In addition to providing substantial project delivery benefits for public works
17 contracts, PLAs are designed to ensure fair and open competition and are, therefore, consistent with
18 the goals of the provisions of § 37-2-2.

19 (c) Definitions. As used in this section, the following words and phrases shall have the
20 following meanings, unless the context clearly indicates otherwise:

21 (1) “Apprenticeship agreement” means an agreement between an apprentice and an
22 apprenticeship program sponsor or its agency that includes the terms and conditions of the
23 employment and training of the apprentice pursuant to 29 CFR §§ 29.2. and 29.7.

24 (2) “Apprenticeship program” means an apprenticeship program that includes all terms and
25 conditions for the qualification, recruitment, selection, employment, and training of apprentices in
26 accordance with U.S. Department of Labor regulations, 29 CFR § 29.2.

27 (3) “Construction labor organization” means a labor organization in the construction
28 industry that:

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

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

34 (4) “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 (5) “Large-scale state public works project” means a project undertaken pursuant to a state
4 construction contract valued at twenty-five million dollars (\$25,000,000) or more.

5 (6) “Lead contractor” means the general contractor, prime contractor, construction
6 manager, construction manager at-risk, design-builder, or other entity that enters a construction
7 contract with a state contracting agency or local government contracting agency.

8 (7) “Project contractors” means the lead contractor and all prime contractors, trade
9 contractors, specialty contractors, and other subcontractors at any tier used on a project.

10 (8) “Project labor agreement” or “PLA” means a pre-hire collective bargaining agreement
11 with four (4) or more labor organizations in the construction industry that establishes the terms and
12 conditions of employment for a specific construction project and is an agreement described in 29
13 U.S.C. § 158(f).

14 (9) “Project staffing plan” means a craft labor project staffing plan used by project
15 contractors in the absence of a PLA to ensure a reliable and adequate supply of qualified craft labor
16 sufficient to meet the project’s needs.

17 (10) “State contracting agency” means a state agency, quasi-state agency, university,
18 college, or other entity or instrumentality undertaking construction contracts, but excludes the
19 Rhode Island department of transportation.

20 (11) “State public works project” means a project undertaken pursuant to a construction
21 contract by a state contracting agency.

22 (d) Project labor agreement policy.

23 (1) State public works projects. State contracting agencies may, at their discretion, include
24 PLA requirements in construction contracts on any appropriate project; provided such agreements
25 are used in compliance with this section and the PLA includes the mandatory provisions specified
26 in subsection (e) of this section.

27 (2) Unless exempted in accordance with this section, PLAs shall be used on large-scale
28 state public works projects to promote the reliable, adequate supply of qualified craft labor, protect
29 capital investments, and offset performance risks. Incorporation of PLAs in bid or proposal
30 specifications and construction contracts shall be administered in compliance with the requirements
31 of this section.

32 (e) Mandatory provisions to be included in any public works PLA. PLAs used under this
33 section shall include the following provisions:

34 (1) Bind all contractors and subcontractors working on the state or local government public

1 works project through the inclusion of appropriate specifications in all relevant solicitation
2 provisions and contract documents;

3 (2) Allow all contractors and subcontractors on the construction project to compete for
4 contracts and subcontracts without regard to whether they are otherwise parties to collective
5 bargaining agreements;

6 (3) Contain guarantees against strikes, lockouts, and similar job disruptions;

7 (4) Set forth effective, prompt, and mutually binding procedures for resolving labor
8 disputes arising during the term of the project;

9 (5) Include a requirement that at least fifteen percent (15%) of the total project workforce
10 shall consist of registered apprentices covered by apprenticeship agreements with applicable
11 apprenticeship programs; and

12 (6) Permit the inclusion of additional mechanisms for labor-management cooperation on
13 matters of mutual interest and concern, including health and safety of the workforce and compliance
14 with applicable state statutes and regulations.

15 (f) Large-scale state public works projects. There shall be a presumption that PLAs will
16 substantially benefit large-scale state public works projects, unless a project is exempted in
17 accordance with the following requirements:

18 (1) If a PLA is not used, the state contracting agency responsible for the project shall issue
19 a written determination at least ninety days (90) prior to the invitation for bids or request for
20 proposals providing the grounds for its finding that a PLA will not promote an adequate supply of
21 qualified craft labor required for the project.

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

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

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

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

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

5 SECTION 2. Chapter 45-55 of the General Laws entitled "Award of Municipal Contracts"
6 is hereby amended by adding thereto the following section:

7 **45-55-11.1. Project labor agreements.**

8 (a) Legislative purpose. The purpose of this section is to protect investments in public
9 works projects, while promoting successful construction delivery and offsetting performance risks
10 through the use of project labor agreements ("PLAs") in accordance with the requirements of this
11 section.

12 (b) Use of PLAs by local government. This section shall be administered in coordination
13 with the provisions of § 37-2-24.1. The legislative findings, and other provisions of § 37-2-24.1, as
14 applicable, are incorporated herein by reference.

15 (c) Definitions. As used in this section, the following words and phrases shall have the
16 following meanings, unless the context clearly indicates otherwise:

17 (1) "Apprenticeship agreement" means an agreement between an apprentice and an
18 apprenticeship program sponsor or its agency that includes the terms and conditions of the
19 employment and training of the apprentice pursuant to 29 CFR §§ 29.2. and 29.7.

20 (2) "Apprenticeship program" means an apprenticeship program that includes all terms and
21 conditions for the qualification, recruitment, selection, employment, and training of apprentices in
22 accordance with U.S. Department of Labor regulations, 29 CFR § 29.2.

23 (3) "Construction labor organization" means a labor organization in the construction
24 industry that:

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

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

30 (4) "Craft labor" means workers employed on a public works project subject to this section
31 in all trades or crafts that must be paid state prevailing wages pursuant to the provisions of chapter
32 13 of title 37 ("labor and payment of debts by contractors").

33 (5) "Large-scale state-assisted public works project" means a public works project
34 undertaken pursuant to a construction contract by a local government contracting agency valued at

1 twenty-five million dollars (\$25,000,000) or more in actual construction costs for which the state
2 provides thirty-five percent (35%) or more of the construction budget for the project, excluding
3 design, engineering, or other non-construction costs.

4 (6) “Lead contractor” means the general contractor, prime contractor, construction
5 manager, construction manager at-risk, design-builder, or other entity that enters a construction
6 contract with a state contracting agency or local government contracting agency.

7 (7) “Local government contracting agency” means a contracting agency of a municipality,
8 town, city, local education agency, school committee, school district, or other political subdivision
9 of the state undertaking construction contracts.

10 (8) “Local government public works project” means a project undertaken pursuant to a
11 construction contract by a local government contracting agency.

12 (9) “Project contractors” means the lead contractor and all prime contractors, trade
13 contractors, specialty contractors, and other subcontractors at any tier used on a project.

14 (10) “Project labor agreement” or “PLA” means a pre-hire collective bargaining agreement
15 with four (4) or more labor organizations in the construction industry that establishes the terms and
16 conditions of employment for a specific construction project and is an agreement described in 29
17 U.S.C. §158(f).

18 (11) “Project staffing plan” means a craft labor project staffing plan used by project
19 contractors in the absence of a PLA to ensure a reliable and adequate supply of qualified craft labor
20 sufficient to meet the project’s needs.

21 (d) Project labor agreement policy.

22 (1) Local government contracting agencies may, at their discretion, include PLA
23 requirements in construction contracts on any appropriate project; provided such agreements are
24 used in compliance with this section and the PLA includes the mandatory provisions specified in
25 subsection (e) of this section.

26 (2) Unless exempted in accordance with this section, PLAs shall be used on large-scale
27 state-assisted public works projects to promote the reliable, adequate supply of qualified craft labor,
28 protect capital investments, and offset performance risks. Incorporation of PLAs in bid or proposal
29 specifications and construction contracts shall be administered in compliance with the requirements
30 of this section.

31 (e) Mandatory provisions to be included in any public works PLA. PLAs used under this
32 section shall include the following provisions:

33 (1) Bind all contractors and subcontractors working on the state or local government public
34 works project through the inclusion of appropriate specifications in all relevant solicitation

1 provisions and contract documents:

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

5 (3) Contain guarantees against strikes, lockouts, and similar job disruptions;

6 (4) Set forth effective, prompt, and mutually binding procedures for resolving labor
7 disputes arising during the term of the project;

8 (5) Include a requirement that at least fifteen percent (15%) of the total project workforce
9 shall consist of registered apprentices covered by apprenticeship agreements with applicable
10 apprenticeship programs; and

11 (6) Permit the inclusion of additional mechanisms for labor-management cooperation on
12 matters of mutual interest and concern, including health and safety of the workforce and compliance
13 with applicable state and local laws and regulations.

14 (f) Large-scale state-assisted public works projects. As a condition of receiving state
15 assistance for a state-assisted public works project, the local government contracting agency
16 responsible for the project shall require the use of a PLA unless a project is determined to be exempt
17 in accordance with the following requirements:

18 (1) If a PLA is not used, the state contracting agency responsible for the project shall issue
19 a written determination at least ninety days (90) prior to the invitation for bids or request for
20 proposals, providing the grounds for its finding that a PLA will not promote an adequate supply of
21 qualified craft labor required for the project.

22 (2) For any large-scale state-assisted public works project for which a PLA is not used, the
23 local government contracting agency shall require bidders or offerors to submit a certified project
24 craft labor staffing plan, which shall be a material term of the construction contract, that provides
25 information demonstrating the staffing capabilities of the lead contractor and all other project
26 contractors, including:

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

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

31 (3) The project craft labor staffing plan shall be reviewed and approved by the local
32 government contracting agency to ensure it provides reasonably strong assurances that the project
33 contractors will provide sufficient craft labor resources required for the project.

34 SECTION 3. Severability. If any provision of these sections or their application to any

1 person or circumstances is held invalid or unconstitutional, the invalidity or unconstitutionality
2 shall not affect other provisions or applications of these sections which can be given effect without
3 the invalid or unconstitutional provision or application, and to this end, the provisions of these
4 sections are declared to be severable.

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

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO PUBLIC PROPERTY AND WORKS -- STATE PURCHASES

1 This act would amend the process for creating and governing project labor agreements
2 ("PLAs") with which to comply. The act would provide that contracting agencies could, at their
3 discretion, include PLA requirements in construction contracts on any appropriate project. This act
4 would further provide that PLAs would need to include certain mandatory provisions set forth in
5 the act. This act would also provide that PLAs would be used on large-scale state public works
6 projects to promote adequate supply of qualified craft labor, protect capital investments, and offset
7 performance risks.

8 This act would take effect upon passage.

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