Advocate for the Merit Shop

legislative.abc.org
As the federal government continues to respond to the ongoing COVID-19 health and economic crisis, ABC has advocated for and supported critical policies enacted by the U.S. Congress. ABC also urges Congress to consider necessary modifications to current programs and additional relief to ensure our nation’s construction industry remains strong and ready to lead the economic comeback once the crisis is over.

PAYCHECK PROTECTION PROGRAM

ABC appreciates Congress’s swift action in passing the CARES Act (H.R. 748), which provides essential relief for construction small businesses through the Paycheck Protection Program. In an ABC member survey conducted May 20-June 3, 80% of survey respondents indicated their firm had applied for and received loans through the Paycheck Protection Program. As of May 30, 2020, data on the PPP shows the construction industry has received more than 429,000 loans worth more than $63 billion through the PPP, accounting for approximately 12.5% of the loans provided through the program. The additional guidance released on the program and the recently enacted PPP Flexibility Act (Public Law No: 116-142) continue to provide clarity and certainty for small construction businesses that have used this program as a vital lifeline to keep operations going and ensure paychecks for millions of hardworking construction employees throughout this health and economic crisis. ABC was an early supporter of the PPP and will advocate for the additional resources that ABC members need to continue to drive recovery efforts for the construction industry and the economy.

<table>
<thead>
<tr>
<th>NAICS Sector Description</th>
<th>Loan Count</th>
<th>Net Dollars</th>
<th>% of Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Health Care and Social Assistance</td>
<td>470,369</td>
<td>$65,928,653,513</td>
<td>12.96%</td>
</tr>
<tr>
<td>Professional, Scientific, and Technical Services</td>
<td>581,708</td>
<td>$65,086,484,846</td>
<td>12.79%</td>
</tr>
<tr>
<td>Construction</td>
<td>429,185</td>
<td>$63,441,199,379</td>
<td>12.47%</td>
</tr>
<tr>
<td>Manufacturing</td>
<td>218,021</td>
<td>$53,490,261,475</td>
<td>10.51%</td>
</tr>
<tr>
<td>Accommodation and Food Services</td>
<td>339,642</td>
<td>$40,907,011,686</td>
<td>8.04%</td>
</tr>
</tbody>
</table>

Employer Liability:

Support: ABC urges Congress to enact temporary and targeted liability relief legislation related to the COVID-19 pandemic that would safeguard businesses, non-profit organizations and educational institutions, as well as healthcare providers and facilities, from unfair lawsuits so that they can continue to contribute to a safe and effective recovery from this pandemic.

- Senate Majority Leader Mitch McConnell (R-Ky.) and House Minority Leader Kevin McCarthy (R-Calif.) signaled that they will not support an additional coronavirus relief bill unless it provides liability protections for employers, and Sen. John Cornyn (R-Texas) has been working with Senate leadership to draft legislation to address this issue.

Workforce Protections:

Support: Workplace safety is a top priority for ABC and our members across the country. We strongly believe that employers should take steps to ensure that employees are protected, and we are dedicated to ensuring employers and employees have the latest and best information about workplace safety in the face of the COVID-19 crisis.

- ABC supports OSHA’s current approach of issuing industry-specific guidance based on the latest information from the U.S. Centers for Disease Control and Prevention. Employers and employees alike are far better served by an approach that focuses on disseminating the latest information available and tailoring safety guidance to reflect the rapidly evolving understanding of this public health emergency.

OSHA Overreach:

Oppose: ABC is concerned with proposals that would require the U.S. Department of Labor’s Occupational Safety and Health Administration to issue an emergency temporary standard at this time in response to the coronavirus pandemic. Such a requirement is included in the COVID-19 Every Worker Protection Act of 2020 (H.R. 6559) and would issue a rigid, one-size-fits-all standard.

This proposal would also require OSHA to issue a new standard prior to the National Institute for Occupational Safety and Health and U.S. Center for Disease Control and Prevention collecting data and conducting research on workplace COVID-19 cases. This is exactly the reverse of how good workplace safety policy should be made. Data is a critical component in the consideration and development of any workplace safety regulation.
In the discussion on reopening the country, ABC believes that Congress should make several targeted investments in America’s infrastructure that will be vital in ensuring the safety and security of our country and in the effort to restore our economy. These Infrastructure projects should be strategically selected and funded based on their ability to facilitate and sustain long-term economic growth and must support America’s 21st century economy.

**ABC’S INFRASTRUCTURE PRIORITIES ARE:**
Reducing costly and ineffective regulations, increasing competition, addressing the construction industry’s skilled worker shortage, embracing new technology, and pursuing value-adding public-private partnerships. ABC believes that these priorities can reduce costs, safeguard competition, and ensure that taxpayers’ dollars are spent wisely to modernize and repair infrastructure across the country.

Congress must ensure that all contracts in a potential infrastructure investment package should be awarded through a fair and competitive bidding process that allows all qualified contractors to compete on a level playing field based on merit, experience, quality and safety.

**SUPPORT/COSPONSOR:** The Fair and Open Competition Act (H.R. 1858/S. 907), introduced by Rep. Ted Budd (R-N.C.) and Sen. Todd Young (R-Ind.), would prevent the government from mandating a project labor agreement as a condition of winning federal or federally assisted construction contracts.

**SUPPORT:** To deliver the highest quality projects at the best cost to taxpayers, any infrastructure proposal should be free from government mandated PLAs on federal and federally assisted projects, allowing all qualified contractors and Americans to fairly compete to build and work on these taxpayer-funded projects.

**OPPOSE:** Any attempts to include legislative language encouraging or mandating PLAs on infrastructure projects.

**SUPPORT:** ABC believes that current U.S. Senate surface transportation reauthorization (S. 2302) and water infrastructure legislation (S. 3590/S. 3591) provide a path forward on the essential infrastructure that is needed to restart the economy. ABC urges congress to pursue additional investments in residential and commercial, infrastructure to further accelerate the recovery of the United States’ economy.

**WHITE HOUSE PRIORITY:** ABC urges President Trump to rescind Executive Order 13502 and replace it with a new order that will ensure government neutrality in federal and federally assisted contracting and allow all Americans to rebuild their communities.
WORLD-CLASS SAFETY

Associated Builders and Contractors and its 69 chapters strive to provide all members with the knowledge and tools to achieve the highest standard for health, safety, wellness and environment in the construction industry.

ABC’S STEP HELPS MEMBERS ACHIEVE WORLD-CLASS SAFETY PERFORMANCE

Founded in 1989 as a safety benchmarking and improvement tool, STEP has evolved into a world-class safety management system that dramatically improves safety performance among participants regardless of company size or type of work. ABC’s STEP Safety Management System proves that world-class safety is achievable with a company-wide commitment to safety as a core value.

abc.org/step

ABC STEP MEMBERS ARE SAFER THAN THE INDUSTRY AVERAGE

ABC’s 2020 Safety Performance Report is based on 2019 data gathered from ABC STEP member companies recording nearly one billion hours of work in construction, heavy construction, civil engineering and specialty trades.

abc.org/spr

SAFE AND HEALTHY CONSTRUCTION PLEDGE

The COVID-19 pandemic has underlined the critical need for a leadership commitment to construction worker safety and health by every contractor in America. In May 2020, ABC founded the Safe and Healthy Construction Pledge to highlight the need for a redoubled commitment to safety under new protocols. ABC invites all U.S. contractors across industry segments to sign the pledge.

safeandhealthyconstruction.org

ABC IS AN ACTIVE MEMBER OF THE CONSTRUCTION COALITION FOR A DRUG- AND ALCOHOL-FREE WORKPLACE AND THE CONSTRUCTION INDUSTRY ALLIANCE FOR SUICIDE PREVENTION

abc.org/spr

Drugfreeconstruction.org

Total Recordable Incident Rate: STEP vs. the U.S. Bureau of Labor Statistics Industry Average
WORKFORCE DEVELOPMENT
ABC is Committed to Continuously Developing People

ABC and its 69 chapters are doing their part to educate craft, safety and management professionals using innovative and flexible learning models like just-in-time task training, competency-based progression, work-based learning, industry recognized apprenticeship programs and government-registered apprenticeships to build a safe, skilled and productive workforce.

Policymakers must commit to supporting an “all-of-the-above” strategy for workforce development where workers choose their career path and employers have the freedom to choose the best way to provide value and build America.

Prior to the COVID-19 outbreak, which has paused or altered some construction projects across the country, ABC estimated 550,000 construction professionals need to be hired in 2020 to meet existing backlog, which stood at 7.9 months in May.

While the employment needs of the merit shop construction workforce are in flux as a result of the coronavirus pandemic, ABC members remain committed to recruiting, educating and upskilling craft and management professionals.