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LEGISLATIVE ACTION

Senate	.	House
Comm: TP	.	
04/14/2011	.	
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The Committee on Governmental Oversight and Accountability
(Dean) recommended the following:

Senate Amendment

Delete lines 51 - 85
and insert:

(2) (a) Except as provided in paragraph (b), or as required by federal or state law or funding requirements, the state or any political subdivision that contracts for the construction, maintenance, repair, or improvement of public works shall not require that a contractor, subcontractor, material supplier, or carrier engaged in the construction, maintenance, repair, or improvement of public works:

1. Pay employees a predetermined amount of wages or wage



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13 rate;

14 2. Provide employees a specified type, amount, or rate of
15 employee benefits;

16 3. Control or limit staffing, except as directly related to
17 supervision of the public works project;

18 4. Recruit, train, or hire employees from a designated or
19 single entity that acts as a source of labor supply;

20 5. Designate any particular assignment of work for
21 employees; provided, however, that this does not prohibit
22 designation of key personnel for architectural, engineering,
23 design, or project management services;

24 6. Participate in proprietary training programs; or

25 7. Enter into any type of project labor agreement.

26 (b) Paragraph (a) does not apply if the payment of
27 prevailing or minimum wages to persons working on projects
28 funded in whole or in part by federal funds is required under
29 federal law.

30 (3) The state or any political subdivision that contracts
31 for the construction, maintenance, repair, or improvement of
32 public works shall not require that a contractor, subcontractor,
33 material supplier, or carrier engaged in the construction,
34 maintenance, repair, or improvement of public works execute or
35 otherwise become a party to any agreement with employees, their
36 representatives, or any labor organization as described in 29
37 U.S.C. s. 152(5) and 42 U.S.C. s. 2000e(d), including any
38 areawide, regional, or state building or construction trade or
39 crafts council, organization, association, or similar body, as a
40 condition of bidding, negotiating, being awarded any bid or
41 contract, or performing work on a public works project.



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42 (4) Except as required by federal or state law, the state
43 or any political subdivision that contracts