

House Anti Davis-Bacon Coalition Seeks Repeal of New Davis-Bacon Rules

- **Action Needed: Write Congress Opposing H.J. Res. 103.**
- **Message For Congress:**
 - **Oppose H.J. Res. 103 –**
 - **Support Prevailing Wages and Registered Apprenticeship Programs**
 - **Endorse DOL's Effort to Modernize and Simplify Davis-Bacon**

Background: On October 23rd the U.S. Department of Labor (DOL) Wage and Hour Division made final the Davis-Bacon Reform rules. **SMACNA, months earlier, had reviewed and endorsed with comments the proposed and final rule to make long overdue reforms to both the Davis-Bacon rules and enforcement of those rules.**

- Those long opposed to prevailing wages, registered apprenticeship standards, PLAs, minimum wages, and basic labor standards, are seeking to kill the new rules- using the Congressional Review Act (CRA) and a coalition of misguided Representatives.
- The CRA allows Congress, by majority vote, to overturn any regulation within 60 days of becoming final. Congress has 30 more days to pass H.J. Res. 103.
- H.J. Resolution 103 was sponsored by two dozen zealous anti Davis-Bacon GOP Members of the House. We are asking SMACNA members favoring the Davis-Bacon rules to oppose the repeal effort (H.J. Res. 103).
- It is therefore imperative that the Congress hear from YOU and our members in force about the need to strike down H.J. Res. 103 and make these new reforms permanent.

SMACNA encourages each of its chapters and contractors to contact their Representative to seek their opposition to H.J. Res. 103. This vote is based upon a misguided effort to kill the long overdue and extremely valuable new rules strongly endorsed by SMACNA and all our prevailing wage allies, from management to labor organizations.

Remember: The CRA action period to pass H.J. Res. 103 could occur any moment until December 23, 2023.

Let Congress know you Oppose H.J. Res. 103 and strongly Support Prevailing Wages and Registered Apprenticeship Programs and this historic effort to modernize and simplify Davis-Bacon after decades of trying to do so for union contractors and the taxpayers.

November 21, 2023

U.S. House of Representatives
Washington, DC 20515

Attn: Vote No on H.J. Res. 103 To Repeal Modernization / Simplification of Davis-Bacon Rules

Dear Representative:

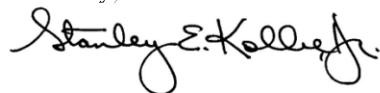
The Sheet Metal and Air Conditioning Contractors' National Association (SMACNA) is supported by more than 3,500 construction firms specializing in industrial, commercial, residential, architectural and specialty sheet metal and air conditioning construction in public and private markets throughout the United States. **On behalf of SMACNA, I want to express our strongest opposition to H.J. Res. 103. We enthusiastically endorse the recently issued and long overdue final rules to modernize and simplify compliance with the Davis-Bacon Act. (attached statement).** By supporting the Department of Labor's Wage and Hour Division multi-year effort to produce comprehensively updated final rules, you are supporting construction workforce training quality, public project safety and productivity. Prevailing wage laws and registered apprenticeship standards are important to our thousands of public and private market contracting firms and their hundreds of thousands of highly skilled construction trades employees. SMACNA members and allied quality driven contractors understand that any major investment in public infrastructure should recognize the extreme importance of a highly trained and skilled workforce. Enforcing Federal, state, and local prevailing wage laws encourage employers to:

- Pay a locally prevailing wage and offer benefit coverage to their employees and their families.
- Provide for skilled construction careers as well as the future retirement of their employees and
- Make significant essential investments in DOL **registered apprenticeship** training and safety programs.

Our members have many decades of experience helping build and maintain the most complex Federal projects, including those on Capitol Hill and throughout the Executive Branch. Further, we know that the payment of prevailing wages and benefits **should not be cast as a union versus nonunion issue**. According to Department of Labor reports, most Davis-Bacon wage decisions have paid less than the union wage. First-rate construction industry firms should not be disadvantaged when bidding federal projects against unscrupulous competitors failing to train and compensate adequately their unskilled and more skilled workers.

Again, we strongly support DOL's long overdue modernization and simplification of the Davis-Bacon Act rules and other legislative efforts to enhance compliance with the Act's prevailing wage standards. Enforcing prevailing wage and benefit standards better serves construction quality, productivity, skilled workforce training and safety on all public projects. The Federal government, the taxpayer and quality contractors on highly complex federal projects deserve no less. **Vote NO on the misguided H.J. Res. 103.**

Sincerely,



Stanley E. Kolbe, Jr.
Executive Director, Governmental and Political Affairs



Sheet Metal and Air Conditioning Contractors' National Association

SMACNA Applauds DOL's Historic Davis-Bacon Act Reforms

August 09, 2023

The Sheet Metal and Air Conditioning Contractors' National Association (SMACNA) is supported by more than 3,500 construction firms engaged in industrial, commercial, residential, architectural and specialty sheet metal and air conditioning construction throughout the United States. SMACNA's federal as well as non-federal contractors applaud the Department of Labor's long needed reforms updating and modernizing the Davis-Bacon Act to benefit every contractor and worker. SMACNA members and allied quality driven contractors understand that any major investment in public infrastructure should recognize the extreme importance and merit in prevailing wages as part of any quality based public procurement policy. Based on decades of experience SMACNA member firms understand the merit in a public procurement policy that encourages employers to invest in a skilled workforce while also providing quality wages, benefits, and training. The taxpayer and the construction workforce deserve no less.

SMACNA contractors and chapter executives have long been strong and outspoken advocates for Davis-Bacon regulatory reforms, especially greater enforcement to combat Davis-Bacon contracting violations widely seen as unfair to honest federal bidders competing for infrastructure projects. We appreciate that prevailing wage laws seek to prevent the federal government as well as unscrupulous bidders from undermining local economies and prevailing local employment and training practices by reflecting local conditions. These long overdue reform efforts reflect the views of SMACNA and all skilled and experienced federal contractors, featuring the most highly trained workforce that bid and win federal contracts every day. Our firms understand the economically harmful and anti-competitive shortcomings of the post 1980's Act. Misguided and outdated reforms were made decades ago seemingly designed to limit the enforcement and effectiveness of the Act and its clear and specific statutory intent. Many of these so-called reforms clearly undermined the intent of the Act and led to the frustration of those most supportive of paying prevailing wages and boosting registered apprenticeship investments.

DOL's final rule will make the wage determination and verification process far more responsive by giving Department of Labor's Wage and Hour Administrator the express