

## Michigan: PLA Deja Vu All Over Again?

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Michigan Governor Rick Snyder has signed into law [Michigan's second attempt](#) to regulate mandatory project labor agreements (PLA) on taxpayer-funded construction.

Michigan adopted a similar bill in 2011, but a [federal district court invalidated it in February 2011](#) ruling that the Act attempted to regulate a field that was preempted by the National Labor Relations Act. That decision is on appeal to the 6<sup>th</sup> Circuit. A similar ruling on a similar statute in Idaho is also on appeal to the 9<sup>th</sup> Circuit.

The difference between the two Michigan Acts is that the new law expressly states that publicly funded project contracts may be awarded to companies that choose to sign a PLA. Thus, public projects, under the new Act, cannot mandate that contractors must sign a PLA to participate in the project, but leaves the door open for voluntary participation in PLAs if the contractors so choose.

Chris Fisher, President of Associated Builders and Contractors of Michigan, in response to the new Act, said that, "This law means that all businesses and all workers—union and non-union alike—have a level playing field to compete for and build publicly-funded construction projects and insure that nobody is denied a fair shot at succeeding in Michigan."

However, John Canzano, who represents the Michigan Building and Construction Trades Council, is quoted by the Bureau of National Affairs that, "It's like Groundhog Day. They keep passing the same law." Canzano, whose organization challenged the first law, asserts that they will also challenge the second Act.

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