

UMass project must use unions

Critics say move will boost costs

By Noah Bierman, Globe Staff | June 16, 2010

A state authority voted this week to mandate the use of union workers on a \$750 million overhaul of the University of Massachusetts Boston campus, a contentious decision already making waves in the race for governor.

The remaking of the campus is a rare mega-project in what remains a sluggish economy for builders. Groups supporting nonunion contractors say the move is anticompetitive, politically motivated, and costly. Supporters of the union-only rule, including Governor Deval Patrick, say it will guarantee a higher quality workforce and eliminate the risk of union strikes, thus diminishing the potential for slowing down the complex overhaul and disrupting life on a working campus.

For Patrick's Republican opponent, Charles D. Baker, the vote fits into a broader critique of the governor's leadership. Baker has argued that so-called Project Labor Agreements — which require companies that bid on construction work to hire union workers, in exchange for agreeing not to strike — are among many Beacon Hill practices that favor politically powerful interests at the expense of taxpayers. He has pledged to end them in state contracts if elected.

In a statement yesterday, he asserted that the UMass agreement could add \$100 million to the cost of the project, a figure that roughly corresponds to research cited by critics of such agreements but disputed by unions.

“Governor Patrick continues to be reckless with spending taxpayer dollars and continues to prove that he is unwilling to push for the reforms necessary to save millions of dollars,” Baker said.

Patrick has had conflicts with some public sector unions over his decisions to overhaul transportation agencies, police construction details, and public pensions. But he has enjoyed a strong relationship with private sector trade unions, who could help him through a challenging reelection campaign. In a March speech to labor activists, he promised to use more Project Labor Agreements, and announced then that he would seek one for the UMass project.

Patrick's labor secretary, Joanne Goldstein, said yesterday that union safety and training standards, along with a no-strike promise, make such agreements more efficient.

“PLAs do not cost any more money than an open-bid arrangement, and in fact are likely to present some cost savings,” she said.

The decision affecting UMass, which followed a recommendation from a state agency, was rendered Monday by the 11-member University of Massachusetts Building Authority board. The majority of its members were appointed by Republican governors, but Patrick had one member sworn in just before the meeting: Philip W. Johnston, former chairman of the state Democratic Party. The board, which includes two union leaders, voted 9 to 2 in favor of requiring a union workforce at the Boston campus. The board voted 6 to 5 against imposing a similar agreement on a medical school building in Worcester.

The board's staff recommended the UMass Boston agreement because of the project's complexity, said David J. MacKenzie, the board's executive director. MacKenzie said he sees any added cost as a worthwhile insurance policy against a disruptive labor dispute. A delay could have ripple effects as workers try to complete 12 interdependent construction projects over seven years, he said.

"The challenge is going to be keeping the campus operating," MacKenzie said. "If we ever had a labor issue on one project while another project is ongoing, it could basically throw the whole dance out of whack."

Board member Francis X. Callahan Jr., president of the Massachusetts Building Trades Council, said the agreements have been used successfully, including in several private sector contracts, such as Massachusetts General Hospital.

"On a construction project, scheduling is paramount," Callahan said.

Callahan said his attorneys reviewed his participation in the vote and ruled that it would not be a conflict of interest because he will neither sign nor negotiate the contracts involved, nor receive any personal benefit.

But Ron Cogliano of the Merit Construction Alliance, which represents nonunion contractors, said he planned to file an ethics complaint about the participation of Callahan and the other union representative in the board vote.

Cogliano argues that the agreements exclude a large portion of potential bidders who depend on nonunion workers, and will ultimately push up costs for college students, who have already felt the brunt of rising tuition and fees.

"It is so antitaxpayer and antiworker it is disgraceful," Cogliano said. "Why is it OK to ban nonunion workers on projects that they're paying for with their tax dollars?"

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