

Grievances and Arbitrationsⁱ

Chicago Regional Council of Carpenters Arbitrations

MARBA received one arbitration request this month regarding placement of a steward.

Laborers Joint Grievance Committee

The Laborers Joint Grievance Committee did not meet in July. The next regularly scheduled meeting is set for August 25, 2020, at the Laborers Burr Ridge office beginning at 9:00 a.m.

Operating Engineers Joint Grievance Committee

The Operating Engineers Joint Grievance Committee did not meet in July. The next meeting is scheduled for August 12, 2020. There are currently thirteen (13) grievances on the docket.

Teamsters Joint Grievance Committee

The Teamsters Joint Grievance Committee did not meet in July. The next regularly scheduled grievance committee hearing is scheduled for August 27, 2020, at a location to be determined.

Collective Bargaining/Labor Issues

Technical Engineers Agreement Posted to MARBA Website

The collective bargaining agreement between MARBA and Local 130 Technical Engineers is posted on the MARBA website. The Bricklayers agreement is not yet posted. All other current CBAs can be found on the website or by clicking the following link:

<https://www.marba.org/collective-bargaining-agreements>

Industry News

Illinois Prevailing Wage Rates Take Effect

The Illinois Department of Labor recently updated the prevailing wage rates with an effective date of July 15, 2020. The prevailing wage rates for the construction industry for every county in Illinois can be found by clicking the following link:

<https://www2.illinois.gov/idol/Laws-Rules/CONMED/Pages/Rates/2020/current-prevailing-rates.aspx>

City of Chicago Adds Wisconsin to List of States Requiring Quarantine

On Tuesday this week the city of Chicago added Wisconsin to its list of states (currently at 22) requiring an individual to quarantine should they happen to visit any of the states on the City's list. There are certain exemptions for a variety of industries including construction, however, those exemptions would not apply to an individual that travels to one of the 22 states for a personal reason (i.e. vacation, sporting events,

wedding, etc.). If an individual does have to quarantine due to visiting a state on the City's list that person would most likely be eligible for paid time off for up to 80 hours under the FFCRA. The City of Chicago Health Commissioner recently indicated they could begin to levy fines against individuals that do not quarantine.

State of the Economy

Economic Indicators

Unemployment Rate	June 2020 U.S. 11.1%, Illinois 14.6% (46 th)
Labor Participation Rate	June 2020 = 61.5%, May 2020 = 60.8%
CPI (All Urban Consumers)	June 2020 versus June 2019 = 0.64% Half 2020 = 1.24%
CPI Chicago All Items	June 2020 versus June 2019 = 1.10% Half 2020 = 1.23%
CPI Midwest All Items	June 2020 versus June 2019 = 0.41% Half 2020 = 0.86%
Union Membership	2019 = 10.3% (Private Sector 6.2%), 2018 = 10.5%
Rate of Unionized Construction Workers	3.6% (2019), 13.8% (2018), 14.0% (2017)
30 Year Fixed Mortgage	June 3.16%, down 0.07% from May 3.23% Annual Average 2019 = 3.94%, 2018 = 4.54%
15 Year Fixed Mortgage	June 2.60%, down 0.09% from May 2.69% Annual Average 2019 = 3.39%, 2018= 4.00%
WTI Crude Oil Price	\$ 41.93 per barrel (as of July 22, 2020) \$110.62 per barrel all time high Year Close 2013 \$ -40.32 per barrel (May 2020) all time low March 2020
Privately Owned New Housing Building Permits	2.1% above revised May rate (+/-1.2%) 2.5% below June 2019 rate (+/- 1.7%)
Housing Completions	4.3% above revised May rate (+/-12.2%)* 5.1% above June 2019 rate (+/- 11.9%)
Privately Owned New Housing Starts	17.3% above revised May rate (+/-11.0%) 4.0% below June 2019 rate (+/- 9.1.7%)*
DJIA	26,313.65 as of July 30, 2020 (close) 25,812.88 as of June 30, 2020 (close)

Janik's J.D. – An Update on Labor/Construction Legal Issues
Aaron Janik – Executive Director MARBA

NLRB Rules Employer That Blocks Pro-Union Sign With Personal Vehicle Does Not Violate the Act

The NLRB recently issued a decision in which an employer's supervisor used his personal vehicle to block one of the employee's pro-union signs. The employer operated cemeteries and funeral homes. The employees park their personal vehicles in the "yard" near a storage facility. On one occasion, while a burial was taking place, one of the employees parked his motorcycle in a manner which made his pro-union sign visible to those attending the service. Attendees asked the supervisor if the sign could be taken down during the service. The supervisor asked the employee to move the sign during the pendency of the service. The employee refused. The supervisor subsequently moved his personal vehicle in front of the employees' motorcycle effectively blocking the view of the pro-union sign from the attendees. After the service ended the supervisor moved his truck out of the way and the sign was again visible. At all other times the sign was visible, and the view remained unobstructed. This occurred on two more occasions over the course of two weeks.

Subsequent to this situation the employees filed an unfair labor practice charge alleging the employer violated the act when it blocked from the view of service attendees the pro-union sign.¹ The ALJ hearing the case agreed with the employee holding the blocking of the sign by the supervisor was unlawfully coercive. The NLRB hearing the case overruled the ALJ holding the employer's use of his personal vehicle to block the employee's sign was not a violation of the Act. In holding that the blocking of the sign was not a violation of the Act the Board likened the burial site to that of a hospital floor where patients are being treated. In analyzing this case the Board found the Supreme Court has "long emphasized that hospitals have a special duty to maintain a peaceful and relaxed atmosphere in order to facilitate the healing process." Furthermore, in cases involving hospital floors with immediate patient care is concerned, restrictions on Section 7 activity are presumptively valid.

In the instant case, the Board found cemeteries or funeral home are akin to a hospital with immediate patient care. The need for "quiet and peace of mind" allows for more stringent restrictions. Attendees mourning the loss of a loved one do not need to be reminded of a labor dispute. Accordingly, the Board ruled in favor of the Employer on the blocking of the pro-union sign issue. The cases are 20-CA-227245 and 20-CA-229015.

¹ The ULP also alleged a unilateral change to the employee's work hours. That issue was decided in favor of employees and the Employer was held to have violated the Act with respect to that charge.

Upcoming Seminars/Events	Calendar
<p><u>UCA Golf Outing</u></p> <p>Join the UCA for their annual golf outing (rescheduled from earlier in the year).</p> <p>Date: Wednesday, September 2, 2020 Time: 11:00 a.m. to 8:00 p.m. Location: Cantigny Golf Course 27W270 Mack Rd Wheaton, IL 60189 Cost: \$260.00 (Golf) Contact: Lauren at 630-467-1919 or lfosmoen@uca.org</p>	<p>August 5 7:30 a.m. Construction Industry Forum (online) August 11 1:00 p.m. Impact of COVID-19 on Construction Industry (online) August 12 8:00 a.m. Operators JGC (Countryside) August 13 8:00 a.m. Bricklayers Pension (TBD) August 18/19 8:00 a.m. FMCS Conference (online) August 25 9:00 Laborers JGC (Burr Ridge) August 27 9:00 Teamsters JGC (TBD)</p>
<p>Did You Know: The first intercollegiate athletic event was held on August 3, 1852 when Harvard faced off against Yale in a boat race. Harvard won.</p>	

ⁱ Information for MARBA Matters was obtained from the following sources: BNA Construction Labor Reports, Crain's Chicago Business, Northwest Times of Indiana, Chicago Tribune, and Sun-Times, CDQ, and the BLS, as well as various websites and other publications.

*if necessary