

MARBA MATTERS

GRIEVANCES AND ARBITRATIONS¹

Chicago Regional Council of Carpenters Arbitrations

MARBA received no arbitration requests this month.

Laborers Joint Grievance Committee

The Laborers Joint Grievance Committee did not meet in January. The next meeting is scheduled for February 22, 2022, at the Laborers Burr Ridge office.

Operating Engineers Joint Grievance Committee

The Operating Engineers Joint Grievance Committee did not have a meeting in January 2022. The next regularly scheduled meeting of the JGC is set for February 9, 2022, beginning at 8:30 a.m. to be held at the offices of Local 150 in Countryside. There are currently four (4) grievances scheduled to be heard.

Teamsters Joint Grievance Committee

The Teamsters Joint Grievance Committee did not meet in January. The next regularly scheduled meeting is scheduled for February 24, 2022, at the Teamsters office in Burr Ridge.

COLLECTIVE BARGAINING/LABOR ISSUES

2022 Contract Expirations

MARBA has compiled a list of contracts expiring in the area later in 2022. The list can be accessed by clicking [here](#). Later this spring (April/May) the negotiation update emails will be sent out based on those expiring contracts.

INDUSTRY NEWS

Infrastructure Investment Jobs Act Rollout Continues

Several agencies are beginning to roll out plans and funds associated with those plans under the Infrastructure Investment Jobs Act (IIJA). Under the IIJA, over \$1.2 trillion is expected to be distributed to states to upgrade the nation's crumbling infrastructure.

Under the IIJA, the Department of Transportation is expected to dole out \$27.3 billion dollars over five years to replace and rebuild bridges throughout the country. According to a DOT spokesperson, up to 15,000 bridges may be upgraded under the program. Illinois is in line for up to \$274.8 million dollars for FY 2022 (4th in the nation) under the DOT's program.

Additionally, the U.S. Army Corps of Engineers released its project-by-project plan for spending up to \$17.1 billion of funding the Corps is expected to oversee. The largest spending under the Corps control is \$1.1 billion for restoration of the Everglades. Other agencies, such as the EPA and the Department of Energy, are also rolling out their plans for how their portion of the IIJA will be spent.

STATE OF THE ECONOMY

Economic Indicators

Unemployment Rate	December 2021 U.S. 3.9% (down 0.3%), Illinois 5.3% (40 th)
Labor Participation Rate	December 2021 = 61.9%, November 2021 = 61.9%
CPI All Urban Consumers	December 2021 versus December 2020 = 7.0% 2 nd Half 2021 versus 2 nd Half 2020 = 6.0%
CPI Chicago All Items	December 2021 versus December 2020 = 6.6% Annual 2022 = 4.2%
CPI Midwest All Items	December 2021 versus December 2020 = 7.5% Annual 2022 = 5.0%
Union Membership	2021 10.3% (Private Sector 6.1%), 2020 = 10.8% Rate of Unionized Construction Workers = 12.6% 12.7% (2020), 13.6% (2019), 13.8% (2018)
30 Year Fixed Mortgage	December 3.10%, up .03% (November 3.07%) Annual Average 2.96% (2021), 3.11% (2020)
15 Year Fixed Mortgage	December 2.35%, down 0.01% (November 2.36%) Annual Average 2.27% (2021), 2.61% (2020)
Brent Crude Oil Price	\$91.19 per barrel (as of January 31, 2022) \$145.61 per barrel all time high July 2008 \$2.23 per barrel all time low May 1970
Privately Owned New Housing Building Permits	9.1% above revised November rate (+/-1.1%) 6.5% above December 2020 rate (+/-1.7%)

Privately Owned New Housing Starts	1.4 % above revised November rate (+/-10.1%) 2.5% above December 2020 rate (+/-9.8%)
GDP	Q4 2021 Adv +6.9% Q3 2021 (3 rd) +2.3% Q2 2021 (3 rd) +6.7% Q1 2021 (3 rd) +6.3%
DJIA	34,917.12 as of January 31, 2022 (12:00 p.m.) 36,302.38 as of December 28, 2021 (8:30 a.m.)

JANIK'S J.D. – AN UPDATE ON LABOR/CONSTRUCTION LEGAL ISSUES
AARON JANIK – EXECUTIVE DIRECTOR MARBA

2022 Unified Agenda Released

On December 10, 2021, the Biden Administration released the semi-annual agenda of regulations the various governmental agencies plan to release or address in 2022. The release of the agenda allows for the public to engage in the regulation process by offering comments. The Department of Labor announced the various regulations it will focus on in 2022.

There are several regulations that the Department intends to focus on including the joint-employer standard (which has been an ongoing source of change for several years now). The issue of the joint employer standard has been in flux since the Obama era NLRB issued its decision in the *Browning-Ferris* case. Under the *Browning-Ferris* decision the Board found employers can be considered joint employers where one of the employers only exercises indirect control over other employers' employees or had the right to control such employees even if it did not exercise that right. The Trump led NLRB then issued a formal rule in 2020 which relaxed that standard to a more employer-friendly one. Under the Trump era standard an employer must have direct and immediate control over an employee's terms and conditions of work for a joint-employer relationship to exist. It is likely given the current NLRB is controlled by a Democratic majority now that a new rule will be issued in the upcoming months that will go back to the *Browning-Ferris* standard or something like that standard.

Another area in which the Department of Labor is looking to focus on in 2022 is the Industry-Recognized Apprenticeship Program. The DOL issued a Notice of Proposed Rulemaking seeking public comment on eliminating the IRAP. The Biden administration, in early 2021, expressed concerns over IRAPs and the potential for them to compete with Registered Apprenticeship Programs (creating duplicate and inferior systems).

The rest of the Fall 2021 Agency Rule List can be found by clicking [here](#).

UPCOMING SEMINARS/EVENTS

CONSTRUCTION SAFETY COUNCIL SAFETY EXPO

THE CSC SAFETY EXPO IS BACK AND IN PERSON THIS YEAR HOSTED IN CONJUNCTION WITH ASSOCIATION OF SUBCONTRACTORS AND AFFILIATES OF CHICAGO (ASA)

DATE: MONDAY MARCH 7, 2022, AND TUESDAY MARCH 8, 2022
 TIME: 9:00 A.M. TO 4:00 P.M. AND EXHIBITORS RECEPTION 4:00 P.M. TO 6:00 P.M.
 LOCATION: DRURY LANE CONFERENCE CENTER OAKBROOK TERRACE
 COST: \$299 ALL ACCESS PASS
 CONTACT: REGISTER BY CLICKING [HERE](#)

CALENDAR

FEBRUARY 9	8:30 A.M.	OPERATING ENGINEERS JGC (COUNTRYSIDE)
FEBRUARY 10	8:00 A.M.	BRICKLAYERS PENSION FUND/H&W FUND (ELMHURST)
FEBRUARY 11	11:00 A.M.	MARBA ASSOCIATION EXECUTIVES MEETING (MARBA)
FEBRUARY 17	7:30 A.M.	CONSTRUCTION INDUSTRY FORUM (MARBA)
FEBRUARY 22	9:00 A.M.	LABORERS JGC (BURR RIDGE)
FEBRUARY 23	11:00 A.M.	CEMENT MASONS LMCC (BELLWOOD)
FEBRUARY 24	900 A.M.	TEAMSTERS JGC (BURR RIDGE)

¹ 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.

Did You Know?

The odds of being born on February 29th are 1 in 1,461, those born on February 29th are sometimes referred to as a leaper.

SUPER BOWL LVI!



RAMS V. BENGALS!