

MARBA MATTERS

GRIEVANCES AND ARBITRATIONSⁱ

Chicago Regional Council of Carpenters Arbitrations

MARBA received one arbitration demand regarding an alleged violation of Article IV of the agreement (wages).

Laborers Joint Grievance Committee

The Laborers Joint Grievance Committee did not meet in December. The next meeting is scheduled for January 25, 2022, at the Laborers Burr Ridge office provided there are any grievances scheduled to go forward.

Operating Engineers Joint Grievance Committee

The Operating Engineers Joint Grievance Committee met on December 1, 2021 to hear four (4) grievances. The first grievance alleged the Employer was not providing the requisite number of Operators to assemble/disassemble a crane. During the course of the hearing the parties agreed to a settlement. The next grievance alleged the Employer was having non-bargaining unit members do bargaining unit work. The Employer indicated they had only rented their equipment out and they were not responsible for who was operating the machinery. The Union presented its case including the fact the Employer told the Union Business Agent to get off the property. After hearing the testimony and reviewing the evidence, the JGC voted to uphold the grievance and issued an award in favor of the Union.

The next grievance involved an allegation that the Employer was using non-bargaining unit individuals to perform bargaining unit work. The Union presented its evidence that on two separate occasions they found non-150 employees on machines covered under the 150 agreement. The Employer failed to attend the hearing and the JGC issued a decision in favor of the Union.

The last grievance involved an allegation that an Employer was failing to pay the proper wages and fringe benefits. The Employer had previously been grieved (within the past month) for denying Local 150 access to the job site. The Union presented evidence the Employer was operating covered equipment and was signatory to the 150 agreement. The Union indicated they had received no wage/benefit reports from the Employer. The Employer failed to attend the hearing and as such a decision was issued in favor of the Union.

The next regularly scheduled meeting of the Joint Grievance Committee is set for February 2, 2022, beginning at 8:30 a.m. to be held at the offices of Local 150 in Countryside. There are

currently two (2) grievances scheduled to be heard.

Teamsters Joint Grievance Committee

The Teamsters Joint Grievance Committee did not meet in December. The next regularly scheduled meeting is scheduled for January 27, 2022, at the Teamsters office in Burr Ridge, provided there are any grievances scheduled to go forward.

COLLECTIVE BARGAINING/LABOR ISSUES

2022 Contract Expirations

MARBA will be compiling a list of contracts that are set to expire in 2022. Once that list is compiled it will form the basis for the weekly Negotiation Update emails that are sent out beginning in April 2022. If you are aware of any agreements expiring in 2022 please contact Aaron Janik, Executive Director, at ajanik@marba.org.

INDUSTRY NEWS

Illinois Department of Labor Prevailing Wage Portal Goes Live January 1, 2022

One of many new changes at the start of 2022 is the Illinois Department of Labor's Prevailing Wage Portal. The portal will allow the public to search certified payrolls submitted by contractors that work on public works project in the state of Illinois which are subject to the Prevailing Wage Act. The information submitted by the contractors include the worker's classification, skill level, and the wages/benefits paid to the employees.

In addition to the Prevailing Wage Portal, there are several other new laws taking effect on January 1, 2022, that the Illinois Department of Labor is highlighting in its recent news release which can be found [here](#).

STATE OF THE ECONOMY

Economic Indicators

Unemployment Rate	November 2021 U.S. 4.2% (down 0.4%), Illinois 5.7% (40 th)
Labor Participation Rate	November 2021 = 61.8%, October 2021 = 61.6%
CPI All Urban Consumers	November 2021 versus November 2020 = 6.8% Half 2021 versus Half 2020 = 3.37%
CPI Chicago All Items	November 2021 versus November 2020 = 5.99%

	Half 2021 versus Half 2020 = 3.08%
CPI Midwest All Items	November 2021 versus November 2020 = 7.29% Half 2021 versus Half 2020 = 3.68%
Union Membership	2020 10.8% (Private Sector 6.3%), 2019 = 10.3% Rate of Unionized Construction Workers = 12.6% 3.6% (2019), 13.8% (2018), 14.0% (2017)
30 Year Fixed Mortgage	November 3.07%, flat (October 3.07%) Annual Average 3.11% (2020)
15 Year Fixed Mortgage	November 2.36%, up 0.05% (October 2.31%) Annual Average 2.61% (2020)
Brent Crude Oil Price	\$79.32 per barrel (as of December 28, 2021) \$145.61 per barrel all time high July 2008 \$2.23 per barrel all time low May 1970
Privately Owned New Housing Building Permits	3.6% above revised October rate (+/-0.9%) 0.9% above November 2020 rate (+/-2.0%)
Privately Owned New Housing Starts	11.8 % above revised October rate (+/-15.2%) 8.3% above November 2020 rate (+/-14.3%)
GDP	Q3 2021 (3 rd) +2.3% Q2 2021 (3 rd) +6.7% Q1 2021 (3 rd) +6.3%
DJIA	36,302.38 as of December 28, 2021 (8:30 a.m.) 34,513.43 as of November 30, 2021 (12:00 p.m.)

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

Supreme Court to Hold Special Session to Consider COVID-19 Mandates

The Supreme Court agreed to hold a special session in which it will hear oral arguments over the Biden Administration's COVID-19 vaccine mandate for employees of large employers (100 or more employees) and healthcare employees. The hearing, which is occurring on January 7, 2022, follows cases out of the 5th, 6th, and 8th Circuits. The cases out of the 5th and 8th Circuit involve the healthcare employees. The 5th Circuit ruling came on the heels of a nationwide injunction being issued by a lower federal court. The 5th Circuit's ruling, however, amended the lower courts injunction to cover only 14 states. The 8th Circuit subsequently added 10 more states to the

injunction thus leaving about half the states subject to the vaccine mandate. As such, 24 states are prohibited from implementing the mandate.

The 6th Circuit, based in Cincinnati, ruled 2-1 that OSHA's Emergency Temporary Standard (ETS) covering large employers (100 or more) could move forward. The decision overturned a prior ruling blocking the rule from taking effect. According to OSHA, the ETS, which calls for a test-or-vaccine requirement for employers with 100 or more employees, will now have an effective date of January 10, 2022 for the vaccination aspect and an effective date of February 9, 2022 for the testing aspect. OSHA has indicated it will not issue citations prior to the effective dates, "so long as an employer is exercising reasonable, good faith efforts to come into compliance with the standard".

The Supreme Court decision will most likely not be issued prior to January 10th and/or February 9th. The Court will stream arguments via its website on Friday, January 7, 2022. More information can be found on the Supreme Court's website by clicking [here](#).

UPCOMING SEMINARS/EVENTS

CHICAGO BUILDING CONGRESS

JOIN THE CBC AS THEY WELCOME RUSTY SHERWOOD FROM FMI CORPORATION. MR. SHERWOOD WILL PROVIDE HIS 2022 ECONOMIC FORECAST

DATE: WEDNESDAY, JANUARY 19, 2022
TIME: 12:00 P.M. TO 1:30 P.M.
LOCATION: VIRTUAL
COST: \$40 FOR CBC MEMBERS/\$60 FOR NON-CBC MEMBERS (SPONSORSHIPS AVAILABLE)
CONTACT: REGISTER BY CLICKING [HERE](#)

CALENDAR

JANUARY 11	11:00 A.M.	MIAF BOARD MEETING (VIRTUAL)
JANUARY 11	12:00 P.M.	MARBA BOARD MEETING (VIRTUAL)
JANUARY 12	10:30 A.M.	CEMENT MASONS LMCC (BELLWOOD)
JANUARY 20	8:30 A.M.	CONSTRUCTION LEGAL SEMINAR (VIRTUAL)
JANUARY 25	9:00 A.M.	LABORERS JGC (BURR RIDGE)
JANUARY 27	9:00 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?

January 10th is National Houseplant Appreciation Day. January 22nd is National Answer Your Cat's Questions Day.



WHO WILL WIN THE CFP????? GO BLUE!