

MARBA MATTERS

GRIEVANCES AND ARBITRATIONSⁱ

Mid-America Carpenters Regional Council Arbitrations

MARBA received no arbitration demands in the month of August.

Laborers Joint Grievance Committee

The Laborers JGC did not meet in August. The next JGC is set for September 24, 2024, at 9:00 a.m. at the Laborers offices. There are three (3) grievances set to go forward.

Operating Engineers Joint Grievance Committee

The Operating Engineers JGC did not meet in August. The next JGC hearing will be held on September 11, 2024, beginning at 8:30 a.m. at the Operating Engineers office in Countryside. There is currently one (1) grievance set to be heard.

Teamsters Joint Grievance Committee

The Teamsters JGC did not meet in August. The next regularly scheduled JGC is set for September 26, 2024, at the MARBA office, provided there are any grievances set to go forward.

COLLECTIVE BARGAINING/LABOR ISSUES

2025-2027 Expiring Contracts

MARBA has posted its list of expiring contracts for 2025, 2026, and 2027 on its website. You may access the list by clicking [here](#). Contracts that MARBA negotiates and administers are in bold. If there are agreements due to expire not listed, please contact Aaron Janik at ajanik@marba.org so the list may be updated.

INDUSTRY NEWS

ERISA Celebrates 50th Anniversary

On September 2, the Employee Retirement Income and Security Act, better known as ERISA, will celebrate its 50th anniversary. This seminal piece of retirement legislation coincided with the Watergate scandal. At the time of the legislations drafting, the prevailing thought was President Nixon would not resign and as a result there was a push to have the ERISA legislation presented to the House before they were to take up impeachment proceedings so as not to bog down the work that was being done. As everyone probably

knows, President Nixon wound up resigning from the office of Presidency on August 8, 1974. New President, Gerald Ford, asked Congress to present him with legislation that both parties could support and would show the country unity. In an unprecedented show of support, ERISA was passed by the House 407 to 2 and in the Senate 85-0.

The passage of ERISA actually traces its roots back to the Kennedy administration which started to study corporate pension plans in the early 1960's. Today, ERISA governs all aspects relating to multi-employer pension plans that are found in mostly all construction industry collective bargaining agreements.

Illinois' Captive Audience Legislation Challenged in Court

As previously reported in a recent edition of MARBA Matters, Illinois passed a law banning "captive audience" meetings. The legislation would ban Employers from taking disciplinary action against employees who refuse to attend meetings where political or religious matters are discussed. Political matters include the decision to support or join any labor organization. After Governor Pritzker signed the legislation into law, the Illinois Policy Institute, being represented by the Liberty Justice Center, filed a lawsuit in federal court challenging the law as an unconstitutional restraint of Employer's free speech. The case is Illinois Policy Institute v. Illinois Department of Labor et. al 1:24 cv 06976

MARBA to Sponsor Artificial Intelligence Seminar in October

MARBA is pleased to announce it will be sponsoring an Artificial Intelligence seminar on Wednesday October 9, 2024, at Rivers Casino in Des Plaines. It will begin at 8:00 a.m. and conclude at 11:30 a.m. The program, entitled "The Effects of AI on the Construction Industry" will give attendees insight into the acceleration of AI and how it affects leadership and business strategy. The goal of the program will be to help people understand the reality of artificial intelligence and gain an understanding of how AI is shaping the future of the construction industry. For more information about the program, please contact Aaron Janik at ajanik@marba.org.

STATE OF THE ECONOMY

Economic Indicators

Unemployment Rate	July 2024 U.S. 4.3% (June 4.1%), Illinois 5.2% (48 th tied)
Labor Participation Rate	July 62.7%, June 62.6%, May 62.5%
CPI All Urban Consumers	July 2024 over July 2023 = 2.89% Half Year = 3.22%
CPI Chicago All Items	July 2024 over July 2023 = 3.67% Half Year = 3.14%
CPI Midwest All Items	July 2024 over July 2023 = 2.68% Half Year = 2.71%
Union Membership	2023 = 10.0% (Private Sector 6.0%)

	2022 = 10.1% (Private Sector 6.0%) 2021 = 10.3% (Private Sector 6.1%)
Unionized Construction Workers	11.4% (2023), 11.7% (2022), 12.6% (2021), 12.7% (2020)
30 Year Fixed Mortgage	As of 8-16-24 6.49%, down 0.06% over the prior year. Annual Average 5.34% (2022), 2.96% (2021), 3.11% (2020)
15 Year Fixed Mortgage	As of 8-16-24 5.66%, down 0.08% over the prior year. Annual Average 4.58% (2022), 2.27% (2021), 2.61% (2020)
Brent Crude Oil Price	\$79.76 per barrel (as August 16, 2024, 11:30 a.m.) \$145.61 per barrel all time high July 2008 \$2.23 per barrel all time low May 1970
Privately Owned New Housing Building Permits	4.0% below revised June rate 7.0% below July 2023 rate
Privately Owned New Housing Starts	6.8% below revised June rate (+/-10.3%) 16.0% below July 2023 rate (+/-10.5%)
GDP	Q2 2024 (2 nd) +3.0% Q2 2024 (Adv) +2.8% Q1 2024 (3 rd) +1.4%
DJIA	40,614.97 as of August 16, 2024 (11:30 a.m.) 39,401.98 as of June 28, 2024 (9:55 a.m.) 38,715.15 as of May 28, 2024 (1:30 p.m.)

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

Fair Choice Employee Voice Rule Issued by NLRB

The NLRB issued its Fair Choice-Employee Voice Rule in late July. This rule amended the Trump era Board’s rules with respect to three areas: Blocking Charges, Voluntary Recognition Bar, and Recognition in the Construction Industry. Under section 8(f) of the NLRA, Employers in the construction industry can enter into “pre-hire” agreements with Unions without any showing of employee majority support for a particular union. This arrangement allows employers to withdraw from the relationship after the expiration of the collective bargaining agreement. The Fair Choice-Employee Voice Rule reinstates the voluntary recognition standard (often referred to as the 9(a) standard) per the *Stanton Fuel & Material* case, 335 NLRB 717 (2001).

Under 9(a), the parties have an obligation to continue to bargain upon expiration of a collective bargaining agreement. The conversion of a CBA from 8(f) to 9(a), under the Fair Choice-Employee Voice rule, can be accomplished by language alone without the need for any contemporaneous evidence (i.e. cards). It

remains to be seen, based on the recent Supreme Court decision in the “Chevron Deference” case, if the Board’s issuance of the new rule was within its purview. The new rule is set to take effect on September 30, 2024, and it will only apply to cases filed after that date. It is possible litigation will be filed challenging the new rule. A press release from the NLRB discussing the new rule can be found by clicking [here](#).

UPCOMING SEMINARS AND EVENTS

GLCA SUMMER TAILGATE COOK OFF

JOIN THE GLCA AS THEIR MEMBERS BRING THEIR BEST DISHES TO BE CROWNED CHAMPION OF THE TAILGATE!

DATE: SATURDAY, SEPTEMBER 7, 2024
 TIME: 11:00 A.M. TO 5:00 P.M.
 LOCATION: LAKE COUNTY FAIRGROUNDS
 1060 E. PETERSON ROAD
 GRAYSLAKE, IL 60030
 COST: CONTACT GLCA
 CONTACT: EVENTS@GREATLAKESCA.ORG

CALENDAR

SEPTEMBER 5	1:00 P.M.	FED ECONOMIC UPDATE (ONLINE)
SEPTEMBER 10	11:00 A.M.	MIAF BOARD OF TRUSTEES MEETING (MARBA)
SEPTEMBER 10	12:00 P.M.	MARBA BOARD OF DIRECTORS MEETING (MARBA)
SEPTEMBER 11	8:30 A.M.	OPERATORS JGC (COUNTRYSIDE)
SEPTEMBER 24	9:00 A.M.	LABORERS JGC (BURR RIDGE)
SEPTEMBER 26	9:00 A.M.	TEAMSTERS JGC (MARBA)

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?

September 13 is National Kids Take Over the Kitchen Day

NFL KICKS OFF THURSDAY SEPTEMBER 5.....GO LIONS!

