



North America's **Building Trades** Unions

#BuildingTradesWhateverItTakes

Weekly Newsletter

5.8.2020

FIELD SERVICES

- NCA
- Bechtel South Field Combine Cycle: Hired 95 more crafts this week, to bring the total to 444 employees between dayshift and nightshift (400 DS, 44 NS). The project has had no confirmed cases of COVID-19. Approximately 30% complete.
- Great Arrow Builders Penn Chem: Hired 300 more crafts this week. Total project population is approximately 800. The plan is to hire two to three hundred per week for the next several weeks and be at approximately 3,000 by the end of June. The project has had three positive COVID-19 cases, one recently.

- GPPMA
- GPC approved a GPPMA for Williams Plant Services @ Perry Nuclear plant
- GPC approved a GPPMA for BHI @ DTE Enrico Fermi
- GPC approved a special COVID-19 sequester addendum for D&Z @ Fermi

- TVA
- Continues to stay ahead of the curve with mandatory testing to enter all nuclear sites. SQN finished 36 hours ahead of schedule. Fossil outages continue as planned although at a reduced scope where possible. Had a site access issue with a Local Union Business Manager at Paradise Fossil Plant that we are continuing to work through.
- Hydro and Gas site outages continue as planned. However due to smaller plant and scope size craft numbers are substantially lower.

- Disney
- Disney has reached out to NABTU to have discussions about recall procedures and how they should look. We have had several conference calls and are getting closer to an agreement. We still don't have an exact date to when they will open yet its promising that we may be getting closer.

- Southern Company
- Vogtle - Is still trending up... With 762 total tested, 198 total positive cases, and 546 confirmed negative. There have been 142 confirmed "recovered" workers that are eligible to return to site.
- Southern Company OpCo's (Alabama, Georgia, Mississippi) - No change, and work continues to progress.

- DOE
- Oak Ridge – Hoping to bring craft back by May 18th.
- INL – Craft has returned to work

COVID-19 Major Council Cities Report as of May 7, 2020

Seattle

- Last Friday, May 1, Governor Inslee announced that he would extend Washington's existing "Stay Home, Stay Healthy" order until May 31. He indicated that over the next two weeks, some limited business activities would be able to reopen as construction has for Phase 1 (projects previously underway). The Governor also announced three additional phases for Washington to reopen broader sectors of the economy and allow for larger public gatherings.
- In each of the new reopening phases, there will be safety protocols for businesses that are reopening. Those protocols for all sectors will be modeled after the [construction protocols](#) developed by business and labor leaders including Mark Riker, Executive Secretary of the Washington State Building Trades. Mark was appointed yesterday to one of [Governor Inslee's new "Safe Start" advisory groups](#), the "Safe Work and Economic Recovery Community Leaders Group."
- The Seattle Building Trades has not let up on our focus and advocacy on addressing significant public safety risks at construction sites, and ensuring that site-specific project Safety Plans are adequate and being implemented. Most project owners have taken seriously the Industry Emergency Requirements and Screening Plan that we are now expecting all project owners to abide by, but we continue to have challenges on a few major projects. This has required daily engagement with project owners and intensive advocacy for workers.

Massachusetts

- Construction is still suspended in Boston, Cambridge and Somerville.
- Work continues in other cities and towns to varying degrees.
- May 5, 2020 - Essential construction projects with approved safety plans and signed affidavits filed with the appropriate regulatory agencies will be authorized to prepare the site with project-specific COVID-19 safety measures.
- May 18, 2020 - The City of Boston will allow essential construction project on sites that meet the following criteria: (1) Projects are permitted, in compliance and have filed a Covid-19 Safety plan and a signed affidavit; (2) Project sites are sufficiently prepared to adhere to all criteria of their safety plan; and (3) the work is for hospitals, public schools, residential buildings [1-3 units], road and utility work, or other outdoor/open air-work such as steel erection, roofing and constructing foundations.
- May 26, 2020 - The City of Boston will allow all essential construction projects to re-commence construction activities in adherence to their safety plans. This incremental approach will provide the time necessary to allow complex, large-scale development an opportunity to educate their workforce, safely remobilize and implement their site-specific Safety Plan.
- The Mass Building Trades is working on 2 pieces of state legislation:
- To include industry, occupation and employer identifiers in COVID-19 data collection to aid in tracking and protect workers from exposure.
- To indemnify developers, GCs and subcontractors from contract schedules and liquidated damages attributable to COVID-19 circumstances.

Ohio State:

- Construction activity in Ohio is about the same level as last week with most major projects enacting the appropriate CDC guidelines to keep everyone safe. Most of the end users are requiring some type of facemask to be worn but there is some concern over whether the supply chain will be able to keep up with the demand for the necessary PPE. We have been blessed that all construction was exempt from the Governors orders and due to the great efforts of labor and management we have been able to keep over 70% of the Building Trade member working during this crisis.

Milwaukee

- In Milwaukee project are still being worked on. Some new projects are seeing delays due to the COVID. They are large projects that will need the financial markets to come back some to obtain the needed bonding and finance. Many jobs are practicing proper PPE protection and thermal scanning but not all are doing it. I am asking the Local to make it become our standard for our area to help increase our market share. Unemployment in the locals is at about a 10-20% average with the Boilermakers being hit the hardest at about 80%. Most summer festival and events have already been cancelled this will result in many members losing additional work hours. The

Democratic National convention is still up in the air, so we cannot start any sort of needed pre work until a decision is made.

- We have started a virtual apprenticeship application/readiness program with are partner WRTP/Big Step. We are actually seeing an increase in interest and applications to prepare for an apprenticeship in the Trades.

San Francisco

- Members are getting back to work this week due to the Mayor's extended "shelter in place" directive that eliminated all construction prohibitions effective this week.

Greater Kanas City

- All projects are moving forward, following the CDC Guidelines and making sure our members work safe.
- With revenue losses for both Kansas and Missouri the legislation is in the process of budget cuts. We are concerned, Missouri cuts will affect transportation and future projects. The legislative session wraps up May 15th.
- Most trades have 80% of their members working except the Boilermakers who have taken the biggest hit. We have had no additional calls on the "Care for Construction Heroes" hotline.
- We have had approximately 70 of our members infected with over 150 being quarantined. To the best of my knowledge we have only lost one member.

Michigan

- Michigan's Governor has rescinded her Executive Order on All Construction Projects and the Restart is scheduled for Thursday May 7th. All Contractors have to have a COVID-19 Protocol before starting work. Fermi Nuclear Refuel outage has been halted due to a high positive rate of COVID-19 cases. The Outage was more than half way completed when everyone was furloughed. The Restart was planned for this week however a positive spike has occurred with new test results from yesterday so another delay is expected. We are gearing up for the Big Three work that has been shut down since March that will put around 3000 Tradesman back.

Indiana

- Indiana's stay-at-home order has expired in all but three Indiana counties. The Indiana economy is reopening in five stages between now and July 4th. The construction industry has maintained a blanket exemption throughout the duration of the stay-at-home order. Industrial work (i.e., BP Whiting and the steel mills) has slowed considerably in northwest Indiana with some locals having as high as 50% unemployment. Commercial work there remains OK. The remainder of the state is seeing unemployment of between 10 and 15%, with work having slowed, but most projects moving forward.
- For the most part, public works projects continue to move ahead as scheduled, and INDOT projects are being accelerated to take advantage of decreased traffic volumes. However, Purdue University closed two nice-sized projects and postponed bid dates on another two. All public and private universities are concerned about enrollment being down—and the long-term effects of the COVID-19 pandemic on the way college classes are taught—and they are thus reevaluating construction schedules and masterplans.
- Outages at power plants continue to be pushed back to later in the year, as does steel mill work. Hospitals and the auto plants still tend to be the main sectors for job shutdowns. Most other construction projects with groundbreakings scheduled for summer are moving ahead as scheduled.

Minnesota

- In Minnesota, the Governor's Stay-At-Home Order has been extended through May 18. Construction remains steady for now, however future indicators are not as positive with some announcements of projects that have been cancelled, and other COVID-19 economic impacts resulting in less construction investment going forward. The State Council's focus is on securing a multi-billion dollar state bonding bill to stimulate recovery for local communities and keep Minnesota's construction industry working.

Kentucky

- Kentucky's construction employment is slightly improving. Under Governor Beshear's Phase 1 of re-opening, the manufacturing and car and truck plant production is slated to start back on May 18. Manufacturing employers must comply with partitions or any other needed techniques in order to

provide distancing and protection of line workers. Facemask are required for all employees in any business re-opening, including construction. With manufacturing restarting, work for the construction trades will increase and future projects. Contractors are seeing more bidding opportunities opening up. All reports from the trades are that CDC guidelines and social distancing are being followed.

- Concerns are starting to build about the lower tax revenues and road fund revenue's due to the virus and what toll it will take on future construction and road projects as we move forward.

CPWR

CPWR assisted NABTU in releasing the standard on Monday, April 27th. A copy is attached separately. The Standard is also available in Spanish here:

https://cpwr.com/sites/default/files/NABTU_CPWR_Standards_COVID-19_Spanish.pdf

CPWR launched a brand new COVID-19 clearing house and is populating it with safety and health guidance from multiple sources, state and local construction requirements, and other information.

<http://covid.elcosh.org/index.php>

CPWR continues to offer live distance learning courses on COVID-19 and ICRA/COVID-19 awareness to affiliates. We also can train trainers and supply curriculum for integration into affiliates' own learning management systems. We are continuing to explore online asynchronous delivery to reach many more members. We are modifying grants and subgrants to address affiliates H&S training needs.

TRAINING

Apprenticeship and Training Report

NABTU's Education and Research Department has scheduled three online MC3 Train-the-Trainer classes for instructors and coordinators in apprenticeship readiness programs – May 20 -21, May 27 – 28 and June 10 -11, 2020. These classes are now full. The Education and Research Department is currently working on additional dates for online Train-the-Trainer classes in June and July.

Apprenticeship Readiness Program Profile

Last week the Catholic Labor Network published a very positive profile of the Music City Apprenticeship Readiness Program in Nashville. For the full article, see <http://catholiclabor.org/2020/04/connecting-low-income-workers-with-middle-class-careers-in-nashville/>

The CATHOLIC LABOR NETWORK

HOME ABOUT US CALENDAR CATHOLIC EMPLOYER PROJECT LIBRARY BLOG

Connecting Low-Income Workers with Middle-Class Careers in Nashville

APRIL 28, 2020 / 0 Comments /

For more than a century, America's building trades unions have prepared workers for skilled, family-supporting jobs in the construction industry. Today these unions are preparing for a wave of retirements, and are recruiting a new generation of workers through a pre-apprenticeship program aimed at diversifying their ranks. In Nashville, the Catholic Labor Network has been teaming up with Catholic Charities and local parishes to move low-income workers into these high-wage jobs.

The pre-apprenticeship program known as the Multi-Craft Core Curriculum (aka MC3) programs introduces those considering a career in construction to each of the trades in turn. Thanks to outreach work at area Masses by local CLN representative Aimee Shelide Mayer, four of the nine participants in the last MC3 class to precede the coronavirus lockdown were immigrants from Diocese of Nashville parishes – three from a large Hispanic congregation, Iglesia Sagrado Corazòn, and one from one of the oldest churches in the Diocese, Church of the Holy Name in East Nashville.



Bishop J. Mark Spalding of Nashville with MC3 grad Joseph Kenyawia

COMMUNICATIONS

This week, NABTU Communications continued COVID-19 rapid response news and social media engagement, council, staff, and industry outreach and updating our [COVID-19 resource webpage](#) with the latest resourceful information for our members and industry. We hosted our monthly communications and marketing teleconference with Councils and are attaching the May Toolkit to this update. We also conducted our weekly international affiliate communications directors, met with industry partners' communications teams, and conducted daily individual calls with department staff, officers and council leaders to provide support and guidance through statements, press outreach, interview preparation, content editing, talking points, outreach assistance, and social media promotion.

Last Friday, we released a [statement in recognition of May Day](#). This week, NABTU made a huge announcement about NABTU membership and our industry partners contributing \$3 million to the Diabetes Research Institute (DRI) to support specific and urgent research on the use of umbilical cord mesenchymal stem cells to treat patients with severe cases of COVID-19. If not for this generous contribution, Dr. Ricordi and his DRI team would not be able to accelerate needed clinical trials during this challenging time. Together with DRI, we released a [joint release](#), promoted the announcement on all of our social media platforms, and continue to engage the media about this contribution and the developments of this revolutionary clinical trial.

Dr. Ricordi said, "As it has been for decades, whenever we need them, the building trades stand in the breach for their countries and communities. This generous donation is another example of how this amazing organization leads by example and how leadership and action can make a difference on the path of cures."

NABTU President Sean McGarvey said, "NABTU and its members are proud to stand behind the work of Dr. Ricordi, the Diabetes Research Institute team and their partners around the world as they work to find a cure for diabetes and protect the lives of people affected by COVID-19. As COVID-19 cases show severe implications for high-risk individuals and essential workers, Dr. Ricordi's DRI research is essential to treating patients who are facing this life-threatening virus. Our work doesn't stop with this \$3 million commitment; NABTU and our members have already begun organizing friends and supporters to raise the \$30 million Dr. Ricordi says is required to effectively treat the millions of people who need it and will receive it at no cost to them or their families."

We are excited about the possibilities from this therapy for our members and the public at large. We will continue to update Councils on this therapy.

NABTU's communications and marketing keep strategically leveraging opportunities and platforms to educate and promote our messaging to the public, media, government officials and key stakeholders on critical issues impacting our industry during this pandemic. Also, through our [#buildingtradeswhateverittakes](#) social media campaign, we continue to amplify our commitment to community, health and safety, and publicize the helpful efforts and extraordinary contributions of our members.

LEGISLATIVE

PENSION

- NABTU and NCCMP reviewed new draft pension relief language and suggested minor tweaks. All of them were accepted and included in an updated version of the new pension relief language. This version is expected to be in the CARES 2 bill when it debuts in the House.

UNEMPLOYMENT INSURANCE

- House and Senate Democrats have still not coalesced around one specific proposal yet to extend or expand unemployment insurance in CARES 2. However, Democratic Senator Ron Wyden (D-OR), the Ranking Member of the Senate Finance Committee is introducing a bill that would create triggers for increasing benefits based on fluctuations in a state's unemployment rate. Senator Schumer is supportive of this proposal. Speaker Pelosi has endorsed the idea of using triggers, but she has not said if she supports using them on unemployment insurance.
- Democratic Congressman Mark Pocan is also pushing a proposal to expand state-based work share programs. His plan allows a business to pay a reduced wage to their workers while unemployment insurance covers the remainder of their wages.

COBRA

- The latest intel is that House Democrats will put Bobby Scott's COBRA bill in their CARES 2 bill. However, there is already griping by the Blue Dogs that subsidies should not be for 100 percent. It is not anticipated to impact inclusion of the bill or passage of CARES 2 overall as it is highly likely that future bipartisan negotiations will bring that number down.

INFRASTRUCTURE

- President McGarvey sent a letter this week to Speaker Pelosi highly encouraging her to include robust infrastructure investment in CARES 2 – all in the name of job creation for the building trades. With recent reports that only infrastructure related to COVID-19 would be in CARES 2 and denouncements about the need for infrastructure spending overall from Senate Republican Majority Leader Mitch McConnell, NABTU and the LTF will be increasing pressure with Democrats and Republicans to ensure robust infrastructure investment is prioritized.
- NABTU also submitted language this week to fix the Davis Bacon issues in the CARES Act and interim bills.

WORKFORCE

- A House and Senate Democratic proposal is coming together to provide an additional \$25,000 for 2020 for essential workers. It has not been decided which workers will be deemed essential in this bill.

THE TIMING OF CARES 2

- CARES 2 may be finalized over the weekend internally with a potential public release sometime early next week. House Democratic leadership has said they will give 24-72 hours notice to their members for them to travel back to DC.

CANADA

Lobbying continues for the creation of a construction taskforce to advise on stimulus spending; initial roundtable discussions were held with Board members from LiUNA and IUOE representing CBTU. The need to promote community benefit agreements as part of the stimulus, and correct misinformation around CBAs is important going forward. Lobbying also continues for provincial regulations around pension relief.

The Federal Wage Subsidy program's online portal opened Monday, April 27. Employers, including Local Unions, Training Centers and Councils should qualify for the wage subsidy program.

On the CERB, clarification was received that local unions are able to utilize health and welfare plans to top up the CERB benefit up to \$1000 per month for members, without affecting their eligibility to receive the CERB. Additional lobbying is needed on this through the Minister of Finance.

Newfoundland and Labrador

- 85% unemployed
- No known cases of COVID-19 amongst Building Trade members.

Nova Scotia

- 65-70% employment, developed and released a report on safety guidelines and working with government on infrastructure taskforce.
- No known cases of COVID-19 amongst Building Trade members

New Brunswick

- About 50% employed.
- No known cases of COVID-19 amongst Building Trade members

Quebec

- Construction is set to reopen on May 11.
- No known cases of COVID-19 amongst Building Trade members

Ontario

- 65-70% employed.
- Seven - 12 known cases of COVID-19 amongst Building Trade members, but no new cases since last week.

Manitoba

- 50% employed
- No known cases of COVID-19 amongst Building Trade members

Saskatchewan

- 50% employed
- Province is looking to reopen, and some projects that were pushed back because of COVID-19 are looking to restart mid-May.
- No known cases of COVID-19 amongst Building Trade members

Alberta

- Roughly 50% employed.

British Columbia

- 70-80% employed
- Planning is underway to reopen the economy and include Community Benefit Agreements are used on site, Premier is expected to announce plan for reopening next week.

LEGAL

Employee Retention Tax Credit: The CARES Act provides a tax credit to encourage employers to retain employees. Eligible employers, including labor organizations, can take a payroll tax credit equal to 6.2% of wages (including employer payments to group health plans) paid to some or all of their employees. Eligibility for the tax credit is determined quarterly. To qualify, an employer must experience either (1) a full or partial suspension of operations due to orders from a governmental authority limiting commerce, travel or group meetings due to COVID-19; or (2) more than a 50% decline in gross receipts, as compared to the same quarter in 2019.

The IRS recently issued guidance on what constitutes a “full or partial suspension of operations.”

Essential Businesses: If a governmental order requires non-essential businesses to suspend operations but allows essential businesses to remain open, an employer that operates an essential business is not considered to have a full or partial suspension of operations. There are, however, exceptions to that rule. An employer with an essential business may be considered to have a full or partial suspension of operations if:

- The business's suppliers are unable to make deliveries of critical goods or materials due to a governmental order that causes the supplier to suspend its operations;
- It reduces its operating hours due to a governmental order; or
- It experiences a significant decline in gross receipts. For information on how to calculate a significant decline in gross receipts, go to [IRS FAQ Nos. 39-46](#).

Closed workplaces: The IRS also provided guidance on when an employer's workplace is closed by a governmental order. In that circumstance, if the employer is able to continue operations “comparable to its operations prior to the closure by requiring its employees to telework,” the employer's operations are not considered to have been fully or partially suspended. The guidance does not explain what “comparable” means, but provides the following example: Employer C, a software development company maintains an office in a city where the mayor has ordered that only essential businesses may operate. Employer C's business is not essential under the mayor's order and must close its office. Prior to the order, all employees at the company teleworked once or twice per week, and business meetings were held at various locations. Following the order, the company ordered mandatory telework for all employees and limited client meetings to telephone or video conferences. Employer C's business operations are not considered to be fully or partially suspended by the governmental order because its employees may continue to conduct its business operations by teleworking.

If, however, an employer's workplace is closed by a governmental order for certain purposes, but the employer is allowed to remain open for *other* limited purposes, the employer's operations would be considered to be partially suspended (e.g., a restaurant that no longer provides in-room dining, but offers carry-out). Similarly, an employer that reduces its operating hours due to a governmental order is considered to have partially suspended its operations. Additionally, employers that operate a trade or business in multiple locations and are subject to State and local governmental orders limiting operations in some, but not all, jurisdictions are considered to have a partial suspension of operations.

For more information, go to [IRS Frequently Asked Questions](#).

Paycheck Protection Program (“PPP”): On May 6, 2020, SBA updated its [PPP guidance](#). Among other things, SBA emphasized that to determine eligibility for a PPP loan, all applicants must assess their economic need at the time of the loan application. Applicants must certify in good faith that “[c]urrent economic uncertainty makes th[e] loan request necessary to support the ongoing operations of the Applicant.” In making that certification, applicants must take into account “their ability to access other sources of liquidity sufficient to

support their ongoing operations in a manner that is not significantly detrimental to the business." SBA's guidance provides that any borrower who applied for a PPP loan prior to April 24, 2020, and repays the loan in full by May 14, 2020, will be deemed by SBA to have made the required certification in good faith. An employer that applied for a PPP loan, received payment, and repays the loan by the safe harbor deadline (May 14, 2020), will be eligible for an Employee Retention Tax Credit.

To ensure that PPP loans are limited to eligible borrowers in need, SBA announced that it will review all loans in excess of \$2 million, following the lender's submission of the borrower's loan forgiveness application.

Finally, the IRS recently issued a [notice](#) explaining that no tax deduction will be allowed for an expense that is otherwise deductible if the payment of the expense results in forgiveness of a PPP loan. On Wednesday, May, 6, 2020, a bipartisan group of lawmakers introduced legislation to enable certain small businesses to deduct their expenses even if they have received a PPP loan that was later forgiven.

Economic Injury Disaster Loan ("EIDL") Program: As reported in the last update, the Interim Relief Bill added \$10 billion to the EIDL Program established in the CARES Act. The Interim Relief Bill also added agricultural enterprises with not more than 500 employees to the list of eligible borrowers. SBA recently announced that, due to limited funding, it will now [only](#) accept new EIDL applications from agricultural enterprises.

Main Street Lending Program ("MSLP"): The Federal Reserve recently issued [guidance](#) changing the eligibility criteria for MSLP loans. Initially, the loans were available to companies employing up to 10,000 workers or with revenues of less than \$2.5 billion in 2019. Under the new rules, a company must employ 15,000 workers or fewer, or have 2019 annual revenues of \$5 billion or less.