

Good afternoon, members of the committee. My name is Alex Potvin, I am a lifelong Vermont resident who has been afforded the opportunity to grow up and raise a family of my own in our great state. I have been afforded this opportunity largely in part because of the benefits afforded to me by my union membership and security that is offered to me because of a collective bargaining agreement. I am a 19-year member of Vermont Plumbers and Pipe Fitters Local 693. For the last 5 years I have been an appointed Organizer for Local 693 and The New England States Pipe Trades Association. Since my time started in my current position, I have taken a very invested interest in not only the members of my local union but all people employed in my respective trade. Through this position it has given me a unique insight to the intricacies of collective bargaining as well as state prevailing wage laws within our state and the surrounding New England states.

The purpose of my testimony today is to speak in support of the proposed amendment to the capital construction act contained in this bill. When the Capitol Construction Act was first enacted the purpose of it was to make sure that employers were paying fair wages to trades people who were working on state funded construction projects. By in large, this legislation has succeeded in this regard but it only works if the contractors are willing to follow the rules in essentially what is an honor system. Because there is no means of enforcement other than the workers to self-report any violations. This is a flawed method in a couple of ways. One, the workers are typically unaware of the rules that are in place when it comes to prevailing wage work. These workers are usually unaware when they are being taken advantage of at all. This was my experience just recently with an individual whom I helped with a wage and hour claim. This individual was working for a plumbing and mechanical contractor right here in our state house who not only was not paying the required rate but also had misclassified this worker as a helper even though he was tasked with work by his employer that would far exceed what a “helper” should be doing accordance to our states apprenticeship standards. Two, even if the workers were aware, they are scared to self-report for fear of retaliation from the employer. By requiring certified

payroll, this would hold every contractor and sub-contractor accountable for the appropriate wages to be paid and in the case of licensed trades, that all apprentices are registered with the state and classified appropriately, as well as some contractors not abusing the “helper” designation in order to pay unregistered apprentices a lower wage. While Prevailing wage laws are common place in our country among many states, especially here in the north east, what also would typically be included in the language is certified payroll. Of the six North Eastern states that have prevailing wage laws, only one does not include language for certified payroll requirements. Vermont is the outlier that does not have this language.

The other part to this proposed bill I would like to speak on would be the standard for which the pay rates for trades are calculated. Again, six of the states I previously mentioned that use prevailing wage language, use local collective bargaining agreements for the respective trades as a standard for setting pay rates, VT is again, the outlier. To use local cba’s to set the standard for labor rates, this would do away with the need to perform wage and hour surveys, likely cutting down on some administrative costs that the state incurs to perform said surveys. But more importantly, CBAs across the country have set the standards for pay and fringe benefits for over 100 years. Why should these tradespeople who build our state not be afforded the best possible living for themselves and their families. Using local cba’s would increase the amount of tax payer money going back into the working-class people of this state who give their lives to these careers and in turn providing a net positive gain to the people and economy of our state. Multiple studies have shown the stronger a state’s prevailing wage laws the stronger the local economy and working middle class will be. As well as the focus on apprenticeships which drives work force development from the ground up with in our own state which in turn helps to retain the working-class people of our state and as a result keeps the income tax from these workers in our state as well and helps keep them off of government assistance programs.

While I am a member of a union, these issues I'm speaking on are not a union issue. This is a worker's rights issue. Making these changes to our current laws would only serve to bolster the rights for all workers. I'm speaking today behalf of all tradespeople in this state, not just the ones with a union card in their pocket. If the laws we have in place are given means of enforcement and stand to uplift all trade workers than our whole state stands to benefit. If we as Vermonters are to be an example of fair labor practices then we need to at least meet the standards of our neighboring states. With these proposed amendments we can get moving in the right direction.

Thank you all for your time and thank you to the members of the committee for your support of this bill.