



May 17, 2023

Contractor Call to Action - Act Now to Oppose SB 365 (Wiener)

We are urging all CA union signatory contractors to use our grassroots advocacy page to send a preformulated email to Governor Newsom and Legislators asking that they oppose SB 365. The bill would limit the rights of union construction contractors and their employees who collectively bargain wage, hours and working conditions by circumventing the arbitration and grievance procedures within industry collective bargaining agreements (CBAs).

Background:

State law authorizes a party to appeal an order dismissing or denying a petition to compel arbitration. Typically, a stay in trial court proceedings is provided when an appeal for arbitration is perfected. SB 365 would prohibit a trial court from staying proceedings during the pendency of an appeal of an order dismissing or denying a petition to compel arbitration. Appeals to an order dismissing or denying a petition to compel arbitration are common in the union construction industry as industry CBAs are nuanced and the courts need time to decipher and understand their coverage.

Why SB 365 Hurts the Union Construction Industry:

Construction employers who are signatory to industry CBAs depend on the certainty those agreements provide relating to costs and efficiencies. Arbitration and grievance procedures provided for within industry CBAs play an important role in the industry's ability to compete in an open market and yet provide larger pensions, better healthcare and significantly higher wages than their nonunion competitors. These negotiated wages and benefits take into account other efficiencies, such as arbitration procedures that expedite resolution to disagreements and grievances. If passed, SB 365 would require employers to defend trial court claims during the pendency of an appeal of an order dismissing or denying a petition to compel arbitration. Even if arbitration is part of the grievance process agreed to and authorized in a CBA.

Final Take:

SB 365 weakens the effectiveness of industry CBAs and subjects union signatory employers to increased legal cost; making the bill a "LOSE LOSE" for the Union Construction Industry. Take action today and voice your opposition to SB 365.

[CLICK HERE TO SEND AN EMAIL TO YOUR REPRESENTATIVES – OPPOSING SB 365](#)

Once you take action, please encourage other union contractors to act by sharing our grassroots action center - www.unioncontractorvoice.com