



— PRESENTED BY —
SAN DIEGO UNIFIED SCHOOL DISTRICT

Project Stabilization Agreement (PSA) Presentation



Introductions



San Diego Unified School District's PSA Coordination Team

PSA Specialists

Ivory Anderson

(Since 2009)

Rey Pedregon

(Since 2016)

Todd Ethridge

(Since 2018)

Ed Avila

(Since 2019)

Maria Cruz

(Since 2021)



Director - George Harris III

(Since 2009)





Program Topics



- **Project Stabilization Agreement (PSA)**
 - ✓ What It Is, Key Points, What It Does
- **Working On A PSA**
 - ✓ Projects covered, PSA Documents, PSA Pre-Job Conf., Labor Compliance, Prevailing Wages
- **Workforce**
 - ✓ Core, Signatory, Dispatch Procedures
- **Labor Relations On A PSA**
 - ✓ Unions, Badging, Do's and Don'ts, PSA Team Role
- **Dispute Resolution On A PSA**
 - ✓ Jurisdictional Disputes, Grievances
- **PSA App**

The Project Stabilization Agreement

What It Is

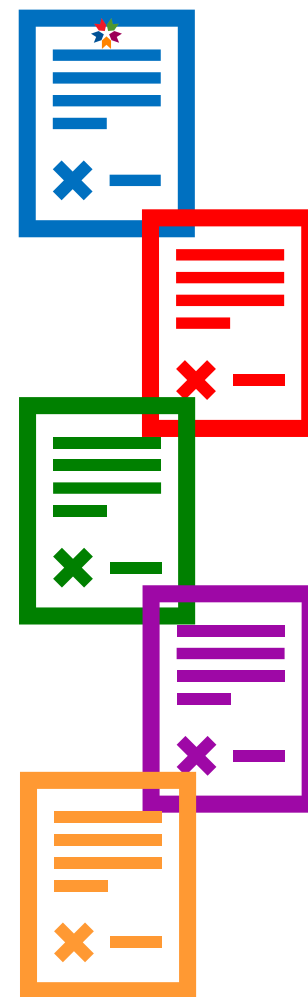
- The Parties
 - ✓ SDUSD Board of Education
 - ✓ SD County Building & Construction Trades Council
 - ✓ Southwest Regional Council of Carpenters
 - ✓ ***All contractors regardless of tier***
- Term of the Agreement
 - ✓ July 2009, in 2012 Addendum extending agreement for life of capital bond program
- Key Points
 - ✓ "Private" or "Exclusive" Agreement
 - ✓ "Covered" contracts/projects
 - ✓ Additional PSA documents



The Project Stabilization Agreement

Key Points

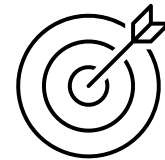
- Private/Exclusive Agreement
 - ✓ SDUSD PSA is a stand-alone document
 - ✓ Limited to the Signatory parties
- Covered Contracts
 - ✓ Prop's S, Z, & U, & Measure YY funded projects exceeding \$1M
 - ✓ **All** State Bond funded projects, regardless of value
 - ✓ **All** Lease Leaseback projects
 - ✓ **All** Job Order Contracts
- Additional Documents
 - ✓ Amendments/Addenda
 - ✓ Schedule "A"s
 - ✓ Side Letters



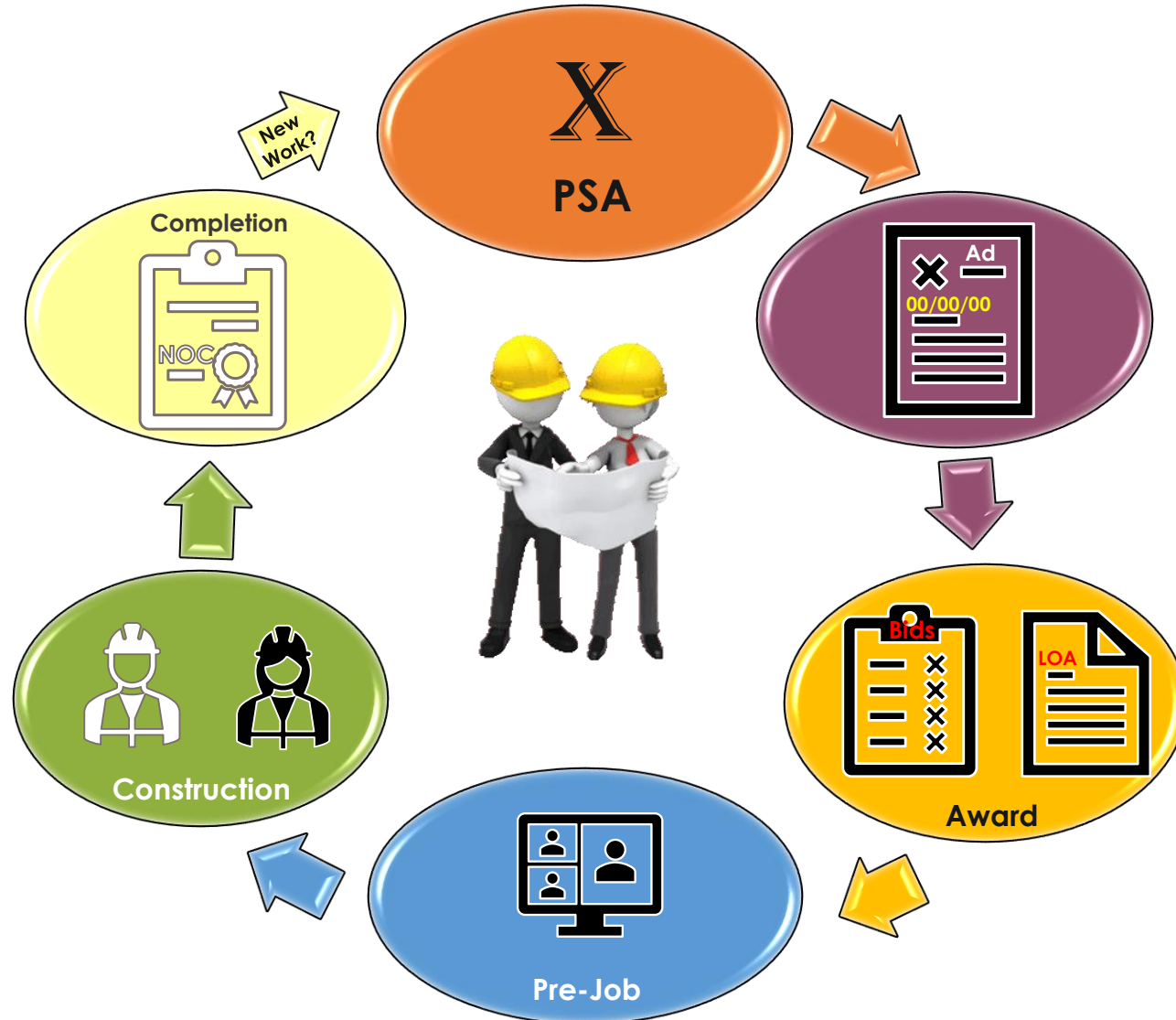
The Project Stabilization Agreement

What It Does

- Provides Union representation of workers
- Eliminates work stoppages
- Standardizes dispute resolution process
- Establishes rules for hiring workers
- Establishes local hiring goals
- Supersedes conflicting provisions in Schedule A



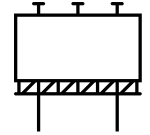
WORKING ON A PSA PROJECT



Working on a PSA Project

Identifying PSA jobs

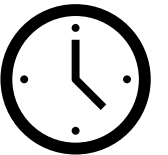
- PSA definition of Covered Project
- Bid Advertisement states if PSA applies
- PSA presentation at **mandatory** job walk
- PSA Letter of Assent with bid documents



Working on a PSA Project

Letter of Assent

- The Letter of Assent ("LOA") is a one-page document that evidences the contractor's agreement to be bound by the terms and conditions of the SDUSD PSA **on a per contract basis**
- All contractors and subcontractors, **of any tier,** that expect to perform work on a PSA-covered work must sign a LOA
- Contractor must deliver the LOA to the PSA Team a **minimum** of 48 hours before starting work
- Contractor must sign a separate LOA for **each** District awarded PSA-covered contract on which the contractor will perform Covered-work



Working on a PSA Project

Letter of Assent

For contracts bid prior to 12/01/23

- A sample of the Letter of Assent is emailed to the GC and is also available (with the other forms) on the SDUSD website:

https://sandiegounified.org/departments/facilities_planning_and_construction/doing_business_with_facilities_planning/project_stabilization_agreement

- How do contractors correctly submit a Letter of Assent (LOA)?
 1. Use the template emailed, use the example LOA from the SDUSD website, or type the exact language from the example into a Word document
 2. Print onto your company letterhead
 3. Make sure all appropriate information is included in the body of the letter (i.e. company name, SDUSD construction contract #, and school site(s))
 4. Signed by a person who is recognized as an **authorized representative** for the company
 5. Prior to starting any Project Work
 - ✓ Email or fax a signed LOA and confirm it is received by the PSA Coordination Team

SDUSD Project Stabilization Agreement Team

Attn: (Review PSA Team list & assigned member)

4860 Ruffner St., San Diego, CA 92111

psaworkforcedispatch@sandi.net





www.123CC.net

~EXAMPLE~

ATTACHMENT A - LETTER OF ASSENT

08/02/2021

Project Labor Coordinator
Attn: SDUSD PSA Specialist
4860 Ruffner Street
San Diego, CA 92111
Fax: (858) 496-1953

Re: San Diego Unified School District Project Stabilization Agreement Construction and Major Rehabilitation Funded by Locally Approved Bonds

Dear Sir:

This is to confirm **123 Construction Contracting** agrees to be party to and bound by the San Diego Unified School District Project Stabilization Agreement effective July 28, 2009, as such Agreement, may from time to time be amended by the negotiating parties or interpreted pursuant to its terms. Such obligation to be a party and bound by this Agreement shall extend to all work covered by the Agreement undertaken by this Company on the Project pursuant to **SDUSD Contract CZ21-0005-23, Memorial High School Whole Site Modernization;** furthermore, **123 Construction Contracting** shall require all of its subcontractors, of whatever tier, to be similarly bound for all work within the scope of the Agreement by signing and furnishing to you an identical Letter of Assent prior to their commencement of work.

Sincerely,

123 Construction Contracting

By:

Johnathan Dough, President

Johnathan Dough

[Copies of this Letter must be submitted by Contractor to the Project Labor Coordinator, consistent with Article II, Section 2.4(b)]



123 Construction Contracting | 123 Construction Way, San Diego, CA 92108
Phn: 619-555-0088 | Fax: 619-555-0099

Working on a PSA Project

New Method *Letter of Assent*

For contracts bid on or after 12/01/23

- General Contractors will continue to submit Letter of Assent (LOA) as part of the bid package
- Subcontractors and Tiered Subcontractors will use the PSA App and DocuSign to sign and submit their LOAs
 - Authorized representative (**owner/officer**) will receive an email from the assigned PSA Specialist requesting signature on the LOA
 - Representative will open link in the notification to initiate the digital signature process
 - The electronic LOA document will be **pre-populated** with the contractor and project contract information:
 - ✓ Contractor's Legal or DBA Name and Address
 - ✓ Contract Number and Project Name
 - ✓ Authorized representative's Name and Title
 - After applying the digital signature, the representative will submit the signed LOA
 - Signed copies will be accessible in the App **for all users**, including the General Contractor on the specific contract, Union Representatives, and PSA staff



Working on a PSA Project

Participation/Subscription Agreements

- In addition to the required Letter of Assent, a contractor **may** be required to sign a "Participation" or "Subscription" agreement
- The Participation/Subscription agreement provides the means to accept fringe benefit contributions
- Like the Letter of Assent, the Participation/Subscription agreement applies **only** to the PSA covered contract
- Unlike the Letter of Assent, more than one signed Participation/Subscription agreement may be required for a single PSA covered contract



Working on a PSA Project

Pre-Job Conference

- Under the terms of the PSA, all awarded PSA-covered construction contracts require the Prime Contractor(s) to attend/hold a PSA Pre-Job Conference
- The Purpose of the Pre-Job Conference
 - ✓ Identify the scope of the PSA project
 - ✓ Identify all subs and tiered subs that will be performing work
 - ✓ GC, subs and tiers identify their scope of work and announce the unions to which they will assign the work
 - ✓ Minimize jurisdictional disputes
 - ✓ Ensure manpower needs can be met

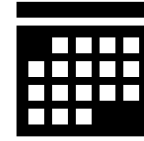
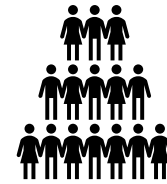


Working on a PSA Project

Pre-Job Conference

- Pre-Job Conference Basics

- ✓ Participants
- ✓ When they occur
- ✓ Where they occur



- Preparing for the Pre-Job Conference

- ✓ Identify the scope for which your company is responsible
- ✓ Estimate the schedule and/or duration of the work
- ✓ Identify the Unions to which work will be assigned
- ✓ Estimate Manpower needs



Working on a PSA Project

Labor Compliance

- PSA projects are subject to CA Dept. of Industrial Relations Prevailing Wage determinations
- Labor Compliance enforcement is carried out by DIR
 - All CPR's are required to be uploaded to the DIR's eCPR system
- For all PSA projects, the applicable prevailing wage will be announced at time of bid.
 - <https://www.dir.ca.gov/oprl/DPreWageDetermination.htm>
- **Special rules apply for Lease Leaseback projects.**
 - <https://fpcprojects.sandi.net/sites/PSA/PSA%20Required%20Documents/Labor%20Compliance%20Bulletin%20-%20Applicable%20Prevailing%20Wages%20for%20LLB%20Projects%20-%20effective%209.4.2021.pdf>



Working on a PSA Project (cont.)

Labor Compliance

- A separate PWC-100 form will be submitted to DIR for **each** PSA covered contract
- Every subcontractor, regardless of tier, must have a valid DIR registration
- Every subcontractor, regardless of tier, must be reported by the GC prior to final payment





Working on a PSA Project

Prevailing Wages

Procurement Method drives the Prevailing Wage Determination

- ✓ Design-Bid-Build
- ✓ Design-Build
- ✓ Job Order Contracts
- ✓ Lease Leaseback
 - ✓ [For GMP phases of projects:
https://fpcprojects.sandi.net/sites/PSA/PSA%20Required%20Documents/Labor%20Compliance%20Bulletin%20-%20Applicable%20Prevailing%20Wages%20for%20LLB%20Projects%20-%20effective%209.4.2021.pdf](https://fpcprojects.sandi.net/sites/PSA/PSA%20Required%20Documents/Labor%20Compliance%20Bulletin%20-%20Applicable%20Prevailing%20Wages%20for%20LLB%20Projects%20-%20effective%209.4.2021.pdf)



Working on a PSA Project

Prevailing Wages

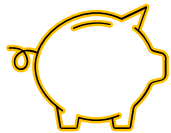
Special PSA rules regarding Prevailing Wages

- ✓ Section 5.1 - Wages
- ✓ Section 5.3 - Wage Premiums
- ✓ Section 5.4 - Compliance with Prevailing Wage Laws

Working on a PSA Project

Employee/Fringe Benefits

- On PSA covered projects, the employee benefit portion of the prevailing wage rate, also referred to as "fringe" benefits **must** be paid to the applicable Union Trust by the contractor
- It is the **contractor's responsibility** to inform the employees of their trust fund benefits
- Benefit contributions are not to exceed the amounts set forth in the applicable prevailing wage determinations, as benefit contributions are part of the prevailing wage rate
- It is imperative that contractors contribute employee benefits to the trust funds in a **timely manner**



General Prevailing Wage Determination

SAMPLE- Journeyman determinations



GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRY PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 177 FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING

Craft: Laborer and Related Classifications (Building Construction)#

Determination:
SD-23-102-4-2020-1

Issue Date:
August 22, 2020

GENERAL PREVAILING WAGE DETERMINATION
SECTIONS 1770, 1770.1

LOCALITY: **SAN DIEGO COUNTY**
DETERMINATION: SDI-2021-1

Expiration date of determination:
June 30, 2021** The rate to be paid for work performed after this date has been determined. If work will extend beyond this date, the rate must be paid and should be incorporated in contracts entered into now. Contact the Office of the Director – Resolutions (415) 703-4774.

Localities:
All localities within **San Diego County**.

Wages and Employer Payments:

CRAFT	CLASSIFICATION
#BRICKLAYER:	
#BRICKLAYER:	MASON FINISHER
#BRICK TENDER	
#CARPET LAYER:	RESILIENT TILES
#DRYWALL FINISHER	
#ELECTRICIAN:	INSIDE WIREMAN/TECHNICIAN
#ELECTRICIAN:	CABLE SPLICER

Classification ^a	Basic Hourly Rate	Health and Welfare	Pension	Vacation and Holiday ^b	Training	Other	Hours	Total Hourly Rate
Group 1	\$34.18	\$8.00	\$8.78	\$5.10	\$0.70	\$0.48	8	\$57.24
Group 2	\$34.86	\$8.00	\$8.78	\$5.10	\$0.70	\$0.48	8	\$57.92
Group 3	\$35.57	\$8.00	\$8.78	\$5.10	\$0.70	\$0.48	8	\$58.63
Group 4	\$36.37	\$8.00	\$8.78	\$5.10	\$0.70	\$0.48	8	\$59.43
Group 5	\$38.30	\$8.00	\$8.78	\$5.10	\$0.70	\$0.48	8	\$61.36

PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 177 FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING PROJECT

CLASSIFICATION	HOURS	HOURS FOOTNOTE	STRAIGHT-TIME TOTAL HOURLY RATE
	8.0	C	\$59.750
	8.0	C	\$50.050
	8.0		\$54.690
	8.0		\$51.710
	8.0		\$28.790
	8.0		\$64.200
	8.0		\$64.970



Working on a PSA Project Skilled & Trained Workforce

Regarding the DIR published
Skilled & Trained Workforce requirements
on District PSA projects:

- It is up to each contractor to comply with the Law
 - Contractors **ARE** required to utilize a S&T workforce as required by state law
 - By working on a PSA project, contractors are **exempt** from the statutory reporting requirements of the law
 - Through PSA operations, the district will collect evidence of the S&T status of each worker

<https://www.dir.ca.gov/Public-Works/ADA-Compliant-STW-Chart-without-New-PRC-Provision.pdf>

<https://www.dir.ca.gov/Public-Works/ADA-Compliant-STW-FAQ.pdf>

WORKFORCE



**CORE
WORKER**

- Your worker
- Has been on PR for @ least 30 of 180 days

**SIGNATORY
WORKER**

- Union signatory contractor
- Your permanent worker

**DISPATCHED
WORKER**

- To meet required ratios
- Union Hall dispatched

Core Workforce and Hiring Procedures

- Non-Union Contractors **can employ their own workers**
 - ❖ Contractors have the right to determine:
 - ✓ Competency of all employees
 - ✓ Number of employees required
 - ✓ Duties of such employees (*w/in each craft jurisdiction*)
 - ✓ Which employees are to be laid off
 - ❖ A core employee is defined as an employee who: (*Sec. 3.6(b)*)
 - ✓ Appears on the contractor's active payroll for 30 of the last 180 working days prior to contract award
 - ✓ Possesses required licenses (certifications)
 - ✓ Performs work safely
 - ❖ Contractor is responsible for identifying all Core Workers planned to be performing onsite to the applicable Union(s)



Core Workforce and Hiring Procedures

- One-time Core Worker registration, per trade union:
 - ✓ Required of all Core Workers
 - ✓ Allows Union to set up Trust Account to accept fringes on the Core Worker's behalf
 - ✓ Allows the Union to include the Core Worker in the Union's dispatch system
 - ✓ Core Worker must be registered with each Union assigned to the scope of work the Core Worker will be performing



Core Workforce and Hiring Procedures

- Core employees are not required to become members of any union; however, the **contractor shall require their Core employees to register** with the appropriate hiring hall prior to working onsite
- All employees are encouraged to contact the union directly to validate their information and if they have any questions



Signatory Workforce Procedures

- Signatory Contractors—those contractors who have signed onto a Collective Bargaining Agreement—must use the dispatch system described in the Collective Bargaining Agreement.
- However, to ensure employees of Signatory Contractors are counted toward the PSA worker utilization goals, all employees of Signatory Contractors working on a SDUSD PSA project—whether dispatched for this project or not—must be included on a Signatory Contractor's Workforce Form



Dispatching Workforce Procedures

- Prime contractors and subcontractors must follow an alternating hiring procedure if they intend to use members of their core workforce.

CONTRACTOR'S CORE WORKFORCE

UNION REFERRAL

- 1st** employee (core)
- 3rd** employee (core)
- 5th** employee (core)

- 2nd** employee (from union)
- 4th** employee (from union)
- 6th+** employee (from union)



Dispatching Workforce Procedures

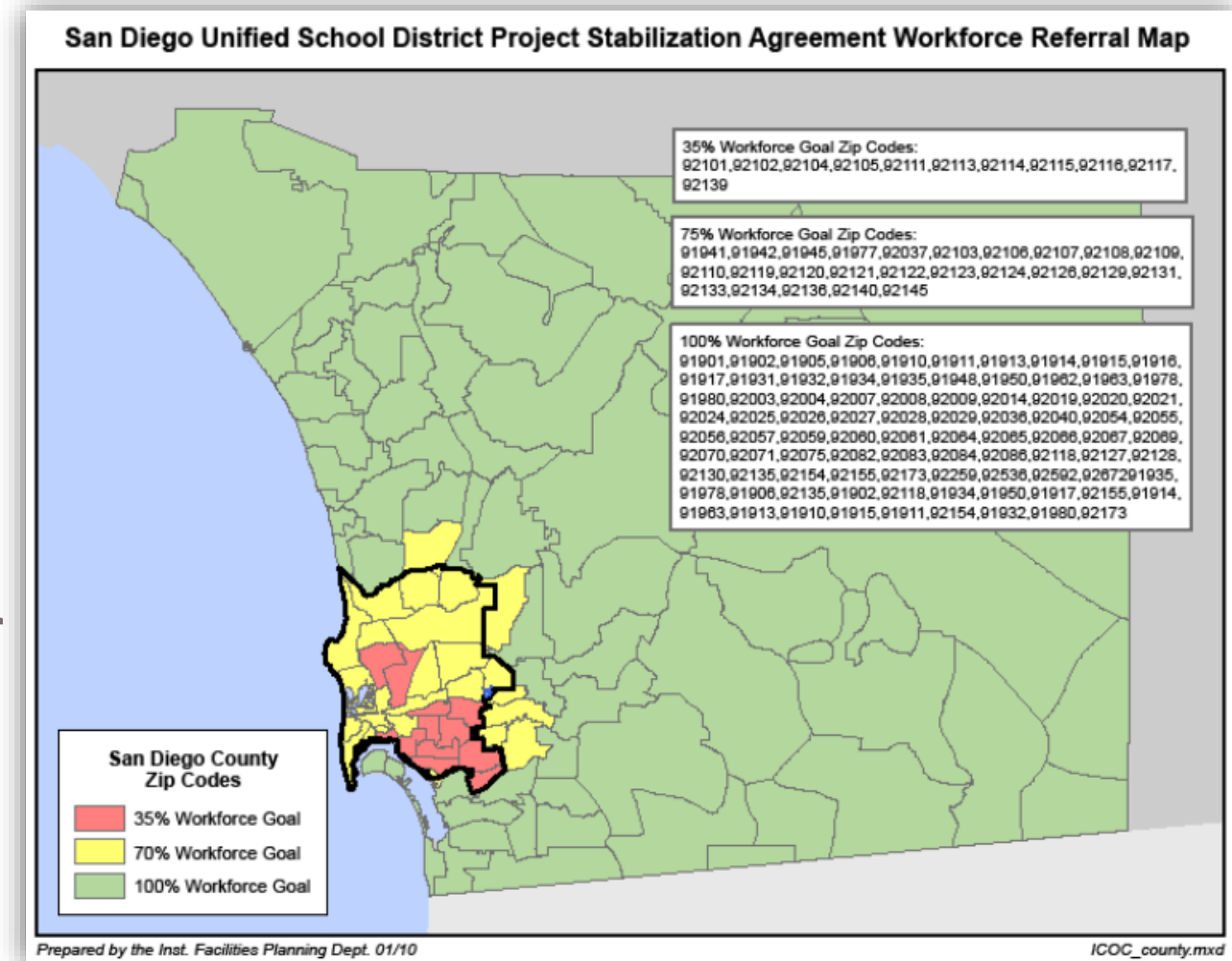
- Dispatch procedure
 - Complete Workforce Dispatch Form
 - Fax or email to applicable Union(s)
 - Follow up that form was received
- All contractors are required to submit a Workforce Dispatch Form for crews with **more than one person**
 - Must submit at least 48-hours prior to need
 - Excluding weekends and holidays
 - Add specific skills desired or required to perform work



Dispatching Workforce Goals



- **35 %** workforce goal for targeted zip codes
- **70 %** workforce goal for District zip codes
- **100 %** workforce goal for San Diego County zip codes



See Workforce Dispatch Request Form



Project Stabilization Agreement (PSA) Contractor Core Workforce Form

Contractor Information	
Requesting Contractor: 123 Construction Contracting	
Phone: 619-555-0088	Fax: 619-555-0099

Job Site Information	
Project Name: Example Middle School Whole Site Modernization (WSM) Contract Number: CZ21-0001-22	
Address: 4860 Ruffner Lane, San Diego, CA 92113	
Job Superintendent: Mike Dohher	
Work Request Start Date and Time: 05/25/21	Estimated Work Duration: 06-09 months

Union Registration		
Employee Classification		Contractors Workforce Information
Indicate Level	Craft/Classification	Name and Zip Code of Applicant
Journeyman <input checked="" type="checkbox"/>	Carpenter	Johnny Doe 92139 Juan Emilian 92070 Carl Karp 92121
Apprentice <input type="checkbox"/>		

UNION USE ONLY Dispatch Information	
Applicant's Information Reviewed By:	~EXAMPLE~

Date of Union Registration (Referral):

UNION DISPATCHER: PLEASE CIRCLE THE ZIP CODE OF THE DISPATCHED WORKER

Targeted ZIP codes	92101	92102	92104	92105	92111	92113	92114	92115	92116	92117	92139		
SDUSD ZIP codes	91941	91942	91945	91977	92037	92103	92106	92107	92108	92109	92110	92119	92120
SD County ZIP codes	92121	92122	92123	92124	92126	92129	92131	92133	92134	92136	92140	92145	
SD County ZIP codes	91901	91902	91903	91905	91906	91909	91910	91911	91912	91913	91914	91915	91916
SD County ZIP codes	91917	91921	91931	91932	91933	91934	91935	91943	91944	91946	91948	91950	91951
SD County ZIP codes	91962	91963	91976	91978	91979	91980	91990	92003	92004	92007	92008	92009	92013
SD County ZIP codes	92014	92018	92019	92020	92021	92024	92025	92026	92027	92028	92029	92030	92036
SD County ZIP codes	92040	92054	92055	92056	92057	92058	92059	92060	92065	92066	92067	92069	92070
SD County ZIP codes	92071	92075	92078	92079	92082	92083	92084	92086	92090	92091	92092	92093	92096
SD County ZIP codes	92112	92118	92125	92127	92128	92130	92132	92135	92137	92138	92141	92142	92143
SD County ZIP codes	92144	92147	92149	92150	92152	92153	92154	92155	92158	92159	92160	92161	92162
SD County ZIP codes	92163	92164	92165	92166	92167	92168	92169	92170	92172	92173	92174	92175	92176
SD County ZIP codes	92177	92178	92179	92182	92184	92186	92187	92190	92191	92192	92193	92194	92195
SD County ZIP codes	92196	92197	92198	92199	92081	92672	92536	92081	92563	92259			

Targeted ZIP codes: 35% of contractor's total workforce by craft
 SDUSD ZIP codes: 70% of contractor's total workforce by craft
 SD County ZIP codes: 100% of contractor's total workforce by craft

Note to Dispatching Agent: Please fax a copy of the form to the PSA Coordination Team at fax 858.496.1953

CORE WORKER
FORM

You can submit multiple employees per sheet or individual Core Worker Form for each worker.



Carpenter Local 619
 Fax (858) 621-2673

Project Stabilization Agreement (PSA) Signatory Contractor's Workforce Form

Contractor Information			
Requesting Contractor:	123 Construction Contracting		
Phone:	619-555-4800	Fax:	619-555-4801

Job Site Information			
Project Name:	Example MS WSM	Contract Number:	CZ21-0001-22
Address:	4860 Ruffner Lane, San Diego, CA 92113		
Job Superintendent:	Mike Dohher		
Work Request Start Date and Time:	8/9/21 6:45 am	Estimated Work Duration:	5 months

Union Registration		
Employee Classification		Signatory Contractor's Workforce Information
Indicate Level	Craft/Classification	Name and Zip Code of Employee
Journeyman <input checked="" type="checkbox"/>	Carpenter	Jack Colby 92071 Sandy Dequez 91941 Oscar Excavantez 92114
Apprentice <input type="checkbox"/>		

UNION USE ONLY Dispatch Information	
Employee's Information Reviewed By:	~EXAMPLE~

Date of Union Registration (Referral):

UNION DISPATCHER: PLEASE CIRCLE THE ZIP CODE OF THE DISPATCHED WORKER													
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	92121	92122	92123	92124	92126	92129	92131	92133	92134	92136	92140	92145	
	91901	91902	91903	91905	91906	91909	91910	91911	91912	91913	91914	91915	91916
	91917	91921	91931	91932	91933	91934	91935	91943	91944	91946	91948	91950	91951
	91962	91963	91976	91978	91979	91980	91990	92003	92004	92007	92008	92009	92013
	92014	92018	92019	92020	92021	92024	92025	92026	92027	92028	92029	92030	92036
	92040	92054	92055	92056	92057	92058	92059	92060	92065	92066	92067	92069	92070
	92071	92075	92078	92079	92082	92083	92084	92086	92090	92091	92092	92093	92096
SD County ZIP codes	92112	92118	92125	92127	92128	92130	92132	92135	92137	92138	92141	92142	92143
	92144	92147	92149	92150	92152	92153	92154	92155	92158	92159	92160	92161	92162
	92163	92164	92165	92166	92167	92168	92169	92170	92172	92173	92174	92175	92176
	92177	92178	92179	92182	92184	92186	92187	92190	92191	92192	92193	92194	92195
	92196	92197	92198	92199	92081	92672	92536	92061	92563	92259			

Targeted ZIP codes: 35% of contractor's total workforce by craft
 SDUSD ZIP codes: 70% of contractor's total workforce by craft
 SD County ZIP codes: 100% of contractor's total workforce by craft

Note to Dispatching Agent: Please fax a copy of the form to the PSA Coordination Team at fax 858.496.1953

SIGNATORY FORM

For *Union Signatory* contractors, to identify the workers to be used on our project, you would complete this form and send it to the Union Hall, they verify and send to our office .



Project Stabilization Agreement (PSA) Workforce Dispatch Request Form

CONTRACTOR USE ONLY		Contractor Information	
Requesting Contractor: 123 Construction Contracting			
Phone: 619-555-0088		Fax: 619-555-0099	

Job Site Information	
Project Name: Example Middle School Whole Site Modernization (WSM) Contract Number: CZ21-0001-22	
Address: 4860 Ruffner Lane, San Diego, CA 92113	
Job Superintendent: Mike Dohher	
Work Request Start Date and Time: 05/25/21	Estimated Work Duration: 06-09 months

Contractor Requirements			
Employee Classification			Requested Skills, Experience, or Certifications and Equipment to Be Utilized
Indicate Level	Craft/Classification	Quantity	
Journeyman	<input checked="" type="checkbox"/> Carpenter	4	Must have at least 2 years of structures framing -stairways, doorframes, rafters, and other partitions, ability to work at heights w/o issue
Apprentice	<input checked="" type="checkbox"/> Carpenter	3	

UNION USE ONLY		Dispatch Information
Name of Applicant(s) Dispatched:		
~EXAMPLE~		

UNION DISPATCHER: PLEASE CIRCLE THE ZIP CODE OF THE DISPATCHED WORKER(S)													
Targeted ZIP codes	92101	92102	92104	92105	92111	92113	92114	92115	92116	92117	92139		
SDUSD ZIP codes	91941	91942	91945	91977	92037	92103	92108	92107	92108	92109	92110	92119	92120
SD County ZIP codes	92121	92122	92123	92124	92126	92129	92131	92133	92134	92136	92140	92145	
	91901	91902	91903	91905	91908	91909	91910	91911	91912	91913	91914	91915	91916
	91917	91921	91931	91932	91933	91934	91935	91943	91944	91946	91948	91950	91951
	91982	91983	91978	91978	91979	91980	91990	92003	92004	92007	92008	92009	92013
	92014	92018	92019	92020	92021	92024	92025	92026	92027	92028	92029	92030	92036
	92040	92054	92055	92056	92057	92058	92059	92060	92065	92066	92067	92069	92070
	92071	92075	92078	92079	92082	92083	92084	92088	92090	92091	92092	92093	92096
	92112	92118	92125	92127	92128	92130	92132	92135	92137	92138	92141	92142	92143
	92144	92147	92149	92150	92152	92153	92154	92155	92158	92159	92160	92161	92162
	92163	92164	92165	92166	92167	92168	92169	92170	92172	92173	92174	92175	92176
	92177	92178	92179	92182	92184	92186	92187	92190	92191	92192	92193	92194	92195
	92196	92197	92198	92199	92672	92536	92081	92563	92259				

Targeted ZIP codes: 35% of contractor's total workforce by craft
 SDUSD ZIP codes: 70% of contractor's total workforce by craft
 SD County ZIP codes: 100% of contractor's total workforce by craft

Note to Dispatching Agent: Please fax a copy of the form to the PSA Coordination Team at fax 858.496.1953

WORKFORCE DISPATCH FORM

It is recommended to complete this form **specifically identifying** any special, specific, or required skill/experience/certifications or equipment that the person will need to have to be effective working on your crew(s).

In addition, you can also identify desired residency requirements for Targeted and SDUSD zip codes.

Dispatching Workforce

Additional Information

- If a union **fails** to supply a worker within 48 hours (excluding weekends and holidays), the contractor may hire from **other sources**
 - ✓ Other sources include using additional Core Workers
 - ✓ The appropriate union hiring hall must be notified and all employees are still required to be **registered**.
- Contractors shall not employ on Project Work (when minors may be present on or around the site during working hours), a person who would not be eligible for employment by the District under California Education Code section 45123.



LABOR RELATIONS ON A PSA PROJECT



Working with
the Unions

Badging

Do's & Do nots

Labor Relations on a PSA Project

Working with Union Reps

- Union representatives have the right to access PSA-covered jobsites, provided they do not interfere with the work of employees.
- Union representatives accessing jobsites **must** comply with posted visitor, security and safety rules as required by SDUSD
- SDUSD/PSA Team should be notified immediately if any disruptions of site rules occur

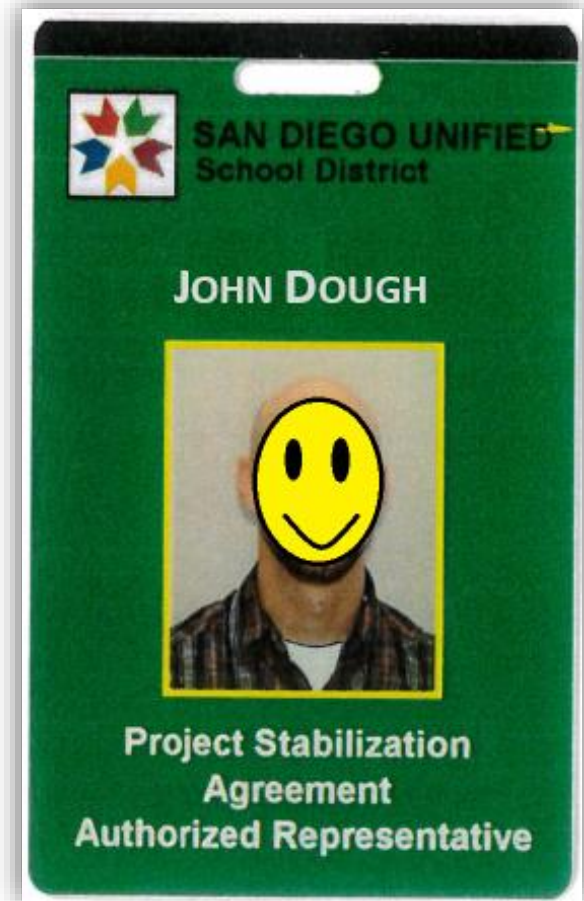


Labor Relations on a PSA Project

Badge Program

District's badge program for union representatives:

- Badge is for ease of identifying union reps, not a requirement for entry on PSA site
- Example of what the Union Representative badge looks like



Labor Relations on a PSA Project

Union Do's and Don'ts

- Unions agree to abide by the terms and conditions of the PSA and will not engage in strikes, slowdowns or disruptions of Project Work.
- No onsite work disruptions are permitted.
- Local unions will make their best effort to recruit and refer sufficient numbers of skilled craft workers to fulfill the labor needs of the contractors and District.



Labor Relations on a PSA Project

Contractor Do's and Don'ts

Contractors have the **sole and exclusive right** to oversee and manage (means & methods) operations on PSA work unless **expressly** limited by the PSA.

Those rights include:

- Planning, directing and controlling operations of all work
- Hiring, promoting, transferring, and laying off employees
- Requiring employees to observe job, safety, and security rules
- Discharge, suspend or discipline employees for just cause



Labor Relations on a PSA Project

The Role of the PSA Team

The PSA Team will actively administer the PSA by:

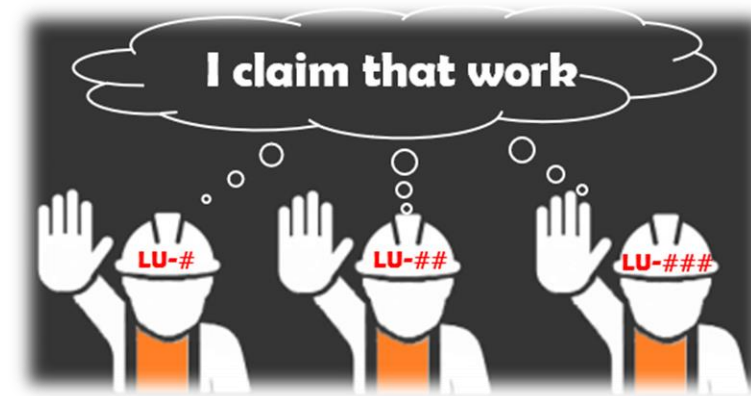
- Monitor compliance with the PSA
- Assist the Business Outreach Program
- Act as mediator or facilitator when requested
- Advise and educate contractors and unions about the PSA when requested
- Facilitate and monitor PSA dispute resolution procedures between contractors, unions, and the District



DISPUTE RESOLUTION ON A PSA PROJECT

Two Types of Disputes:

- Jurisdictional Disputes
 - Union v. Union
- Grievances
 - Anyone v. Anyone



Dispute Resolution on a PSA Project

Jurisdictional Disputes



What are Jurisdictional Disputes?

- A Jurisdictional Dispute occurs when one union challenges the Contractor's assignment of a particular scope of work to another union
- If an assignment is challenged, and the Contractor, assigning Union, and challenging union cannot informally resolve the challenge, the challenging Union may formally dispute the assignment according to Article VIII

How is a Jurisdictional Dispute carried out?

- The Jurisdiction Dispute Process is carried out according to the Plan for the Settlement of Jurisdictional Disputes ("The Plan")
- Unions are the primary parties in the Dispute before the Plan Administrator, an outside entity independent of the SDUSD PSA

How should the Contractor respond to a Jurisdictional Dispute?

- No action unless the Plan Administrator orders a change in assignment

Dispute Resolution on a PSA Project

Jurisdictional Disputes

Key Takeaways

- The PSA Team will work with contractors and unions to prevent the occurrence of jurisdictional disputes and will assist in resolving any that may occur, consistent with PSA Article 8
- Pre-Job Conferences give the contractor the opportunity to assign work and resolve jurisdictional disputes **prior** to work beginning
- There will be no work stoppages or slowdowns over jurisdictional disputes
- It is not the PSA Team's place to make jurisdictional assignments, it is solely the responsibility of the contractor and union accepting said assignment



Dispute Resolution on a PSA Project

Grievances

- What are Grievances?
 - ❑ "Any question arising out of and during the term of the PSA involving its interpretation and application"
- Who can initiate a Grievance?
 - ❑ Any party to the PSA can initiate a grievance: Contractors, Unions, Employees, SDUSD
- How is a Grievance carried out?
 - ❑ Multi-step Process (Reviewed in next slide)
- How does Grievance end?
 - ❑ "Off-ramps" at each step of the process



Dispute Resolution on a PSA Project

Grievances

Steps in the Grievance Process

STEP I: Begin process

- Involved parties informally attempt to settle the matter

STEP II: Official Meeting

- If a settlement is not reached at Step I, either party may request a Step II meeting. The request must be in writing and describe the reason the grievance was initiated.
- Representatives of the parties meet with a member of the PSA team to attempt settlement of the grievance.

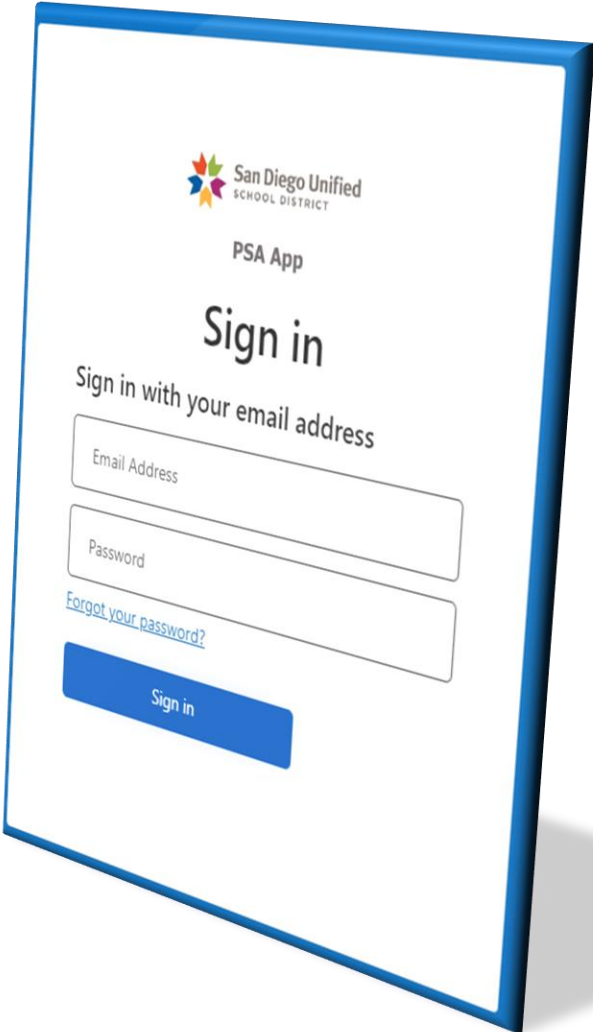
STEP III: Arbitration

- If a settlement is not reached at Step II, either party may request the matter be submitted to an arbitrator.



PSA APPLICATION

- New for Pre-Jobs
- Training & Support



San Diego Unified
SCHOOL DISTRICT

PSA App

Sign in

Sign in with your email address

Email Address

Password

[Forgot your password?](#)

Sign in



The PSA App

Online Tool for Managing PSA Project Data Launched Fall 2022

- **Version 1 of the App supports the Pre-Job Conference aspects of the PSA**
 - ✓ Pre-Job Conference Forms are assigned to designated representatives of each Contractor via the App
 - ✓ Contractor representatives complete and submit the form within the App
 - ✓ PSA Specialists review the submitted forms and confirm they are ready for review at the Pre-Job Conference or return them to Contractors to be updated
 - ✓ Pre-Job Conference notes and outcomes are recorded in the App



The PSA App

Online Tool for Managing PSA Project Data

Version 2 Summer/Fall 2023



- **Version 2 introduces digital signatures for the Letter of Assent (LOA)**
 - LOAs are assigned to authorized representatives of each Subcontractor and Tiered Subcontractor
 - Those representatives apply their digital signature to the LOA using DocuSign
 - They will be notified of assigned LOA and use a link in that email to open DocuSign
 - The App will monitor DocuSign to confirm when the LOA has been signed and retrieve a PDF of the signed document
 - Users can download a copy of the signed LOA for their records at any time
- Because the LOA for a General Contractor is included in the bid package, they will not use the App their LOAs

The PSA App Training and Support

- An introductory training video for Contractors is available on the publicly accessible PSA Cloud site
- Live Contractor training is delivered on a regular basis for new users and any existing users who would like to attend
 - ✓ Each session will be recorded, and the recording will be posted to the PSA Cloud
 - ✓ Check the PSA Event Calendar on the support site for future sessions
- User guides, FAQs, and other support materials are also available on the PSA Cloud
- Specific support requests can be submitted to dedicated support staff via a ticketing system
 - ✓ Each request will be reviewed and assigned to an individual who is focused on providing support
 - ✓ Dedicated support will be available during standard business hours

➤ Lorretta Walden, FPC Custom Application Specialist, lwalden@sandi.net





Summary

Important for Contractors



- READ AND UNDERSTAND THE PROJECT STABILIZATION AGREEMENT, AND ALL SIDE LETTERS
- UTILIZE SDUSD RESOURCES PRIOR TO BIDDING
- A contractor that does not sign a Letter of Assent **cannot perform** Project Work
- Execute a participation/subscription agreement where applicable
- **Register** your “core employees” with the appropriate hiring hall and follow proper hiring procedures
- Make accurate employee benefit contributions to the appropriate trust fund on behalf of your employees



QUESTIONS





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