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## Introductions

San Diego Unified School District's  
PSA Coordination Team

PSA Specialists

**Ivory J. Anderson, Jr.**  
(Since 2009)

**Rey Pedregon**  
(Since 2016)

**Todd Ethridge**  
(Since 2018)



**Ed Avila**  
(Since 2019)

**Maria Cruz**  
(Since 2021)

**Director – George Harris III**  
(Since 2009)





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## 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**
  - ✓ Pre-Jobs, Support

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## The Project Stabilization Agreement What It Is

- **The Parties**
  - ✓ SDUSD Board of Education
  - ✓ SD County Building & Construction Trades Council
  - ✓ Western States 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



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## 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 <<<Based on the engineers estimate
  - ✓ **All** State Bond funded projects, regardless of value
  - ✓ **All** Lease Leaseback projects
  - ✓ **All** Job Order Contracts
- Additional Documents
  - ✓ Amendments/Addenda
  - ✓ Side Letters
  - ✓ Schedule "A"s



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## The Project Stabilization Agreement Schedule A's SDUSD Signatory Union's

All the Collective Bargaining Agreements (CBA) of the signatory Union's to the SDUSD agreement are included in the PSA **by reference**.

- Also referred to as Master Labor Agreements
    - ☆ [Schedule A's = CBA/MLA]
  - Please be sure to review the listed Union parties to this PSA
  - If a non-Union contractor, ensure to ask the Union representative for a copy of their CBA to have all their working rules handy
- ❖ Using a non-listed/non-signatory Union's CBA and workforce will not be permitted



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## The Project Stabilization Agreement What It Does

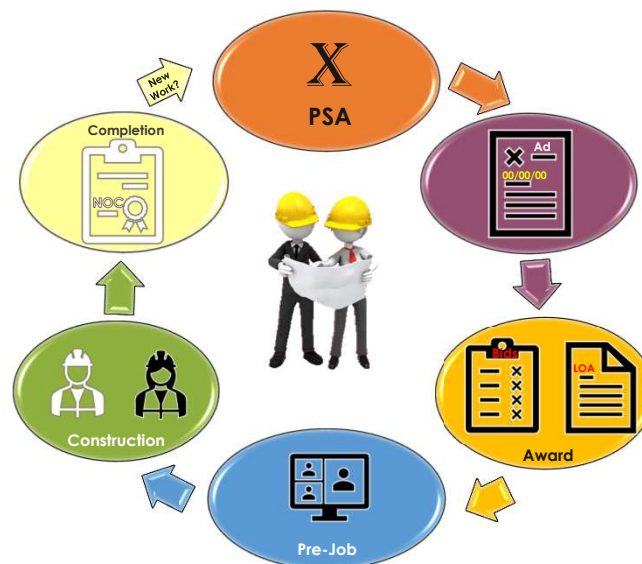
- Provides Union representation of workers
- Eliminates work stoppages
- Standardizes dispute resolution process
- Establishes rules for hiring workers
- Establishes local hiring goals
- Supersedes conflicting provisions in Schedule A



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## WORKING ON A PSA PROJECT



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## 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



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## 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



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## Slide 9

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**CMO** Add screen shot of advertisement with pointing out PSA note & non-PSA

Cruz Maria, 2022-06-01T17:25:39.083



## Working on a PSA Project

### *Letter of Assent*

- 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

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## 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



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## 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

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## 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



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## 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>

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## 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

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## Working on a PSA Project Prevailing Wages

### Procurement Method drives the Prevailing Wage Determination

- ✓ Design-Bid-Build
- ✓ Design-Build
- ✓ Job Order Contracts (JOC)
- ✓ 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>

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## Working on a PSA Project Prevailing Wages

### Special PSA rules regarding Prevailing Wages

- ✓ Section 5.1 – Wages
  - Only the applicable prevailing wage (per contract) must be paid
- ✓ Section 5.3 - Wage Premiums
  - Based off DIR published information (*watch special trades add-ons*)
- ✓ Section 5.4 - Compliance with Prevailing Wage Laws
  - All complaints regarding possible prevailing wage violations shall be referred to the Project Labor Coordinator for processing, investigation and resolution, and if not resolved within thirty calendar days, may be referred by any party to the state labor commissioner

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## 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**



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## General Prevailing Wage Determination SAMPLE- Journeyman determinations

GENERAL PREVAILING WAGE DETERMINATION MADE BY THE DIRECTOR OF INDUSTRIAL RELATIONS  
PURSUANT TO CALIFORNIA LABOR CODE PART 7, CHAPTER 1, ARTICLE 2, SECTIONS 1770, 1773 AND 1773.1  
FOR COMMERCIAL BUILDING, HIGHWAY, HEAVY CONSTRUCTION AND DREDGING PROJECTS

PURSUANT TO CALIFORNIA  
HEAVY CONSTRUCTION

Craft: Laborer and Related Classifications (Building Construction)\*

Determination:  
SD-23-102-4-2024-1

Issue Date:  
August 22, 2024

Expiration date of determination:  
June 30, 2025\*\* The rate to be paid for work performed after this date has been determined. If work will extend past this date, the new rate must be paid and should be incorporated in contracts entered into now. Contact the Office of the Director - Research Unit for specific rates at (415) 703-4774.

Localities:  
All localities within San Diego County.

Wages and Employer Payments:

Classification*	Basic Hourly Rate	Health and Welfare	Pension	Vacation and Holiday <sup>b</sup>	Training	Other	Hours	Total Hourly Rate	Daily Overtime Hourly Rate <sup>c</sup> (1 ½ X)	Saturday Overtime Hourly Rate <sup>c</sup> (1 ½ X)	Sunday/Holiday Overtime Hourly Rate <sup>c</sup> (2 X)
Group 1	\$42.71	\$9.25	\$11.24	\$5.20	\$0.80	\$0.48	8	\$69.68	\$91.035	\$91.035	\$112.39
Group 2	\$43.44	\$9.25	\$11.24	\$5.20	\$0.80	\$0.48	8	\$70.41	\$92.130	\$92.130	\$113.85
Group 3	\$44.27	\$9.25	\$11.24	\$5.20	\$0.80	\$0.48	8	\$71.24	\$93.375	\$93.375	\$115.51
Group 4	\$45.47	\$9.25	\$11.24	\$5.20	\$0.80	\$0.48	8	\$72.44	\$95.175	\$95.175	\$117.91
Group 5	\$45.87	\$9.25	\$11.24	\$5.20	\$0.80	\$0.48	8	\$72.84	\$95.775	\$95.775	\$118.71

Recognized holidays:

Holidays upon which the general prevailing hourly wage rate for Holiday work shall be paid, shall be all holidays in the collective bargaining agreement, applicable to the particular craft, classification, or type of worker employed on the project, which is on file with the Director of Industrial Relations. If the prevailing rate is not based on a collectively bargained rate, the holidays upon which the prevailing rate shall be paid shall be as provided in Section 6700 of the Government Code. You may obtain the holiday provisions for the current determinations on the [Director's General Prevailing Wage Determinations Website](http://www.dir.ca.gov/OPRL/DPWageDetermination.htm) (<http://www.dir.ca.gov/OPRL/DPWageDetermination.htm>). Holiday provisions for current or superseded determinations may be obtained by contacting the Office of the Director - Research Unit at (415) 703-4774.

HERMENTS	HOURS	HOURS	STRAIGHT-
NOTE		FOOTNOTE	TIME
			TOTAL
			HOURLY
			RATE
	8.0	C	\$68.050
	8.0	C	\$56.470
	8.0		\$64.990
	8.0		\$61.560

Notes:	1. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	2. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	3. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	4. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	5. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	6. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	7. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	8. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	9. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.
Notes:	10. The prevailing wage rate for this determination is based on the 2024 survey data. It is subject to change if the survey data for the next year is significantly different.

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## 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

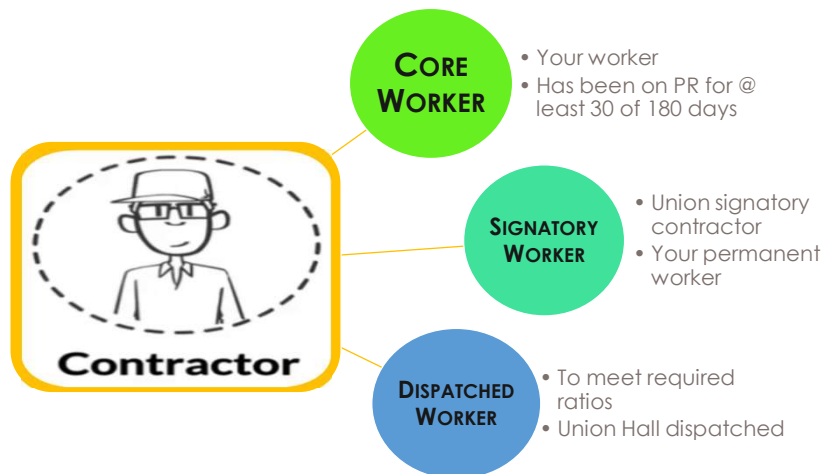
<https://www.dir.ca.gov/Public-Works/ADA-Compliant-STW-Chart-without-New-PRC-Provision.pdf>

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

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## WORKFORCE



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## 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)

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## 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



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## 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

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## 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

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## 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**

**1<sup>st</sup>** employee (core)

**3<sup>rd</sup>** employee (core)

**5<sup>th</sup>** employee (core)

### **UNION REFERRAL**

**2<sup>nd</sup>** employee (from union)

**4<sup>th</sup>** employee (from union)

**6<sup>th</sup>+** employee (from union)

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## 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

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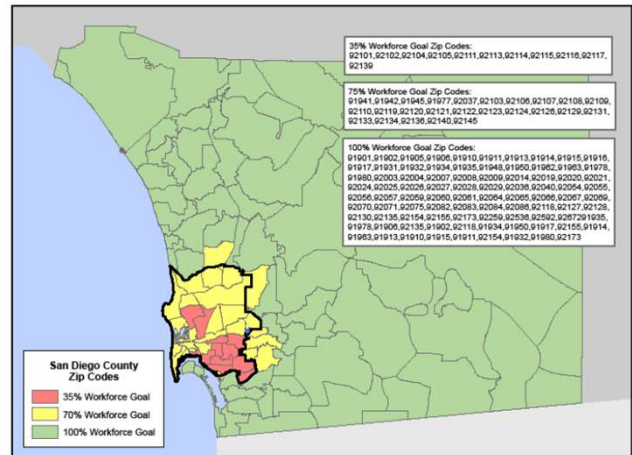




## Dispatching Workforce Goals

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

San Diego Unified School District Project Stabilization Agreement Workforce Referral Map



Prepared by the Inst. Facilities Planning Dept. 01/10

ICOC\_county.mxd

See Workforce Dispatch Request Form

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### Project Stabilization Agreement (PSA) Contractor Core Workforce Form

Contractor Information	
Requesting Contractor: <b>123 Construction Contracting</b>	
Phone: <b>619-555-0088</b>	Fax: <b>619-555-0099</b>
Job Site Information	
Project Name: <b>Example Middle School Whole Site Modernization (WSM)</b> Contract Number: <b>C221-0001-22</b>	
Address: <b>4860 Ruffner Lane, San Diego, CA 92113</b>	
Job Superintendent: <b>Mike Dohler</b>	
Work Request Start Date and Time: <b>05/25/21</b> Estimated Work Duration: <b>04-07 months</b>	
Union Registration	
Employee Classification	Contractors Workforce Information
Indicate Level	Name and Zip Code of Applicant
Journeyman <input checked="" type="checkbox"/> <b>Carpenter</b>	<b>Johnny Doe 92139</b>
Apprentice <input type="checkbox"/>	<b>Juan Emilian 92070</b>
	<b>Carl Karp 92121</b>
UNION USE ONLY Dispatch Information	
Applicant's Information Reviewed By: <b>~EXAMPLE~</b>	
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 92117 92139
SDUSD ZIP codes	91941 91942 91945 91977 92037 92103 92108 92109 92110 92119 92120 92121 92122 92123 92124 92126 92129 92131 92133 92134 92136 92140 92145
SD County ZIP codes	91801 91902 91903 91905 91908 91909 91910 91911 91912 91913 91914 91915 91916 91917 91921 91931 91932 91934 91935 91948 91949 91950 91951 91952 91953 91978 91979 91980 91990 92003 92004 92007 92008 92009 92013 92014 92018 92019 92020 92021 92024 92025 92028 92027 92028 92029 92030 92036 92040 92054 92055 92056 92057 92058 92059 92060 92065 92066 92067 92068 92070 92071 92075 92078 92079 92082 92083 92084 92085 92090 92091 92092 92093 92096 92112 92118 92125 92127 92129 92130 92132 92135 92137 92138 92141 92142 92143 92144 92147 92149 92150 92152 92153 92154 92155 92159 92160 92161 92162 92163 92164 92166 92169 92170 92172 92173 92174 92175 92176 92177 92178 92179 92182 92184 92188 92187 92190 92191 92192 92193 92194 92195 92198 92197 92198 92199 92081 92572 92538 92081 92583 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.

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

*Copyright Local 619  
Fax: (619) 621-2873*

Contractor Information	
Requesting Contractor: <b>123 Construction Contracting</b>	
Phone: <b>619-555-4800</b>	Fax: <b>619-555-4801</b>
Job Site Information	
Project Name: <b>Example MS WSM</b>	Contract Number: <b>CZ21-0001-22</b>
Address: <b>4860 Ruffner Lane, San Diego, CA 92113</b>	
Job Superintendent: <b>Mike Dohher</b>	
Work Request Start Date and Time: <b>8/9/21 6:45 am</b>	Estimated Work Duration: <b>5 months</b>
Union Registration	
Employee Classification	Signatory Contractor's Workforce Information
Indicate Level	Craft/Classification
Journeyman <input checked="" type="checkbox"/>	Carpenter
Apprentice <input type="checkbox"/>	
	<b>Jack Colby 92071</b> <b>Sandy Dequez 91941</b> <b>Oscar Excavantez 92114</b>
UNION USE ONLY	
Dispatch Information	
Employee's Information Reviewed By: <b>~EXAMPLE~</b>	
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	91901 91902 91903 91905 91906 91909 91910 91911 91912 91913 91914 91915 91916 91917 91921 91931 91932 91933 91934 91935 91943 91944 91945 91948 91950 91951 91952 91953 91976 91978 91979 91980 91989 92003 92004 92007 92008 92009 92013 92014 92018 92019 92020 92021 92024 92025 92026 92027 92028 92029 92030 92039 92040 92054 92055 92056 92057 92058 92059 92060 92065 92066 92067 92069 92070 92071 92075 92076 92078 92082 92083 92084 92086 92089 92091 92092 92093 92096 92112 92116 92125 92127 92128 92130 92132 92135 92137 92138 92141 92142 92143 92144 92147 92149 92150 92152 92153 92154 92155 92156 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 92072 92036 92061 92063 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 .

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**Project Stabilization Agreement (PSA)  
Workforce Dispatch Request Form**

CONTRACTOR USE ONLY	
Contractor Information	
Requesting Contractor: <b>123 Construction Contracting</b>	
Phone: <b>619-555-0088</b>	Fax: <b>619-555-0099</b>
Job Site Information	
Project Name: <b>Example Middle School Whole Site Modernization (WSM)</b>	Contract Number: <b>CZ21-0001-22</b>
Address: <b>4860 Ruffner Lane, San Diego, CA 92113</b>	
Job Superintendent: <b>Mike Dohher</b>	
Work Request Start Date and Time: <b>05/25/21</b>	Estimated Work Duration: <b>04-09 months</b>
Contractor Requirements	
Employee Classification	Requested Skills, Experience, or Certifications and Equipment to Be Utilized
Indicate Level	Craft/Classification
Journeyman <input checked="" type="checkbox"/>	Carpenter
Apprentice <input checked="" type="checkbox"/>	Carpenter
	<b>Must have at least 2 years of structures framing - stairways, doorframes, rafters, and other partitions, ability to work at heights w/o issue</b>
UNION USE ONLY	
Dispatch Information	
Name of Applicant(s) Dispatched: <b>~EXAMPLE~</b>	
Date of Dispatch:	
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 92106 92107 92108 92109 92110 92119 92120
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## 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.

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## Dispatching Workforce Additional Information

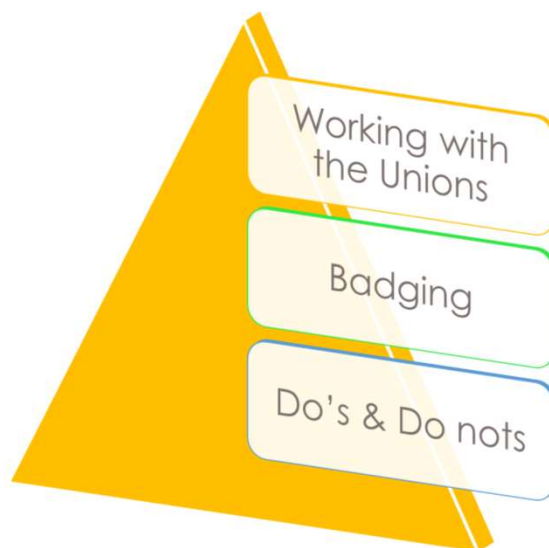
- If a union **fails** to supply a worker within 48 hours (excluding weekends and holidays), the contractor may hire from **other sources**
  - ✓ Other sources include using additional Core Workers
  - ✓ The appropriate union hiring hall must be notified and all employees are still required to be **registered**.
- 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.



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## LABOR RELATIONS ON A PSA PROJECT

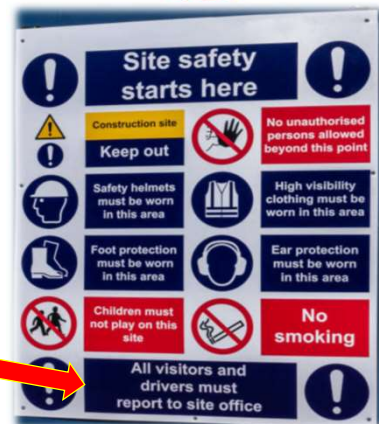


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## Labor Relations on a PSA Project Working with Union Reps

- 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



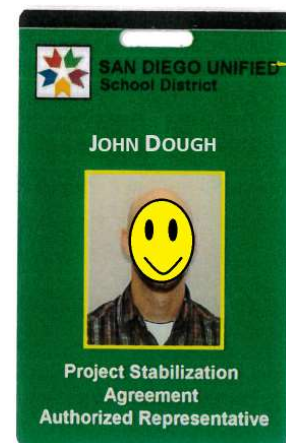
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## Labor Relations on a PSA Project Badge Program

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



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## 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.



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## 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

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## 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

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## DISPUTE RESOLUTION ON A PSA PROJECT

Two Types of Disputes:

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



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## 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

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## 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

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## 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

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## 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

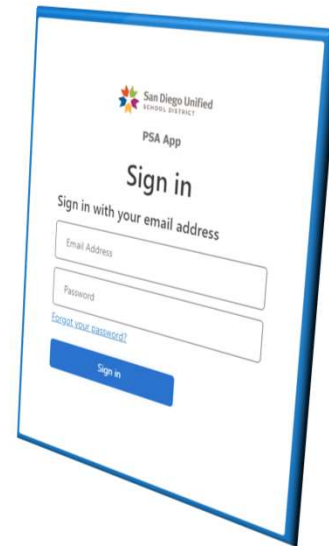
- If a settlement is not reached at Step II, either party may request the matter be submitted to an arbitrator.

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## PSA APPLICATION

- New for Pre-Jobs
- Training & Support



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## The PSA App

### Online Tool for Managing PSA Project Data

### Version 1 Launched Fall 2022

- **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

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## The PSA App Online Tool for Managing PSA Project Data Version 2 Launched Spring 2024

### • Letter of Assent (LOA) now by digital signatures

- LOAs are assigned to **Authorized Representatives** (owners/officers) of each Subcontractor and Tiered Subcontractor
- Representatives apply their digital signature to the LOA using DocuSign
  - ✓ Notification of assigned LOA will be sent directly to the **AR** through their email, a link in that email will take them to DocuSign
  - ✓ App connects with DocuSign to confirm when the LOA has been signed and retrieves the PDF of the signed document for view through the App
  - ✓ Users can download a copy of the signed LOA for their records at any time

✗ General Contractors will not use the App to provide their LOA as it included in the bid package

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## 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](mailto:lwalden@sandi.net)**

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## 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

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# QUESTIONS



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## PSA Coordination Team Contact Information



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