



NEWS RELEASE

SAN DIEGO COUNTY BUILDING AND CONSTRUCTION
TRADES COUNCIL, AFL-CIO

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For Immediate Release

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Legal Challenge from AGC Rejected

California Court of Appeal Upholds PSA with San Diego School District

The California Court of Appeal today decisively rejected a legal challenge by the Associated General Contractors to the Building Trades' Project Stabilization Agreement (PSA) with the San Diego Unified School District. AGC challenged a requirement that bidders on construction projects must employ apprentices trained in our joint labor-management apprenticeship programs. The Court ruled unanimously that the requirement neither intrudes on the Division of Apprenticeship Standards' regulatory power, nor violates any provisions of California's Prevailing Wage Law.

"Once again, the Building Trades has successfully defended the use of PSA's. This decision not only rejected the AGC's challenge, it found that our joint labor-management apprenticeship programs are the most successful throughout California," said Tom Lemmon, Business Manager of the San Diego County Building and Construction Trades Council.

The Court of Appeal also specifically cited the far greater graduation rates of joint labor-management apprenticeship programs over AGC's non-union apprenticeship programs, and the joint programs' vastly superior records of graduating women and minorities. The court ruled that public entities such as SDUSD have the right to protect their own proprietary interests by requiring workers on their projects to receive the type of quality apprenticeship training they deem best suited to their needs, in this case our joint labor-management apprenticeships.

A copy of the decision is attached.