

Biden Signs Executive Order on Project Labor Agreements

Last Friday, President Biden signed an [executive order](#) requiring the use of project labor agreements (PLAs) on federal construction projects above \$35 million. A PLA is a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project. Based on FY 2021 figures, the executive order could affect \$262 billion in federal government construction contracting. The order is only applicable to federal procurement.

The order also directs the Departments of Defense and Labor, along with the Office of Management and Budget, to lead a training strategy for the contracting workforce on PLAs and the implementation of the order. This training will create a more uniform and accessible experience for contractors interacting with departments and agencies across the federal government.

FMCSA Launches Training Provider Registry for Entry-Level Drivers

Earlier this week, the U.S. Department of Transportation's Federal Motor Carrier Safety Administration (FMCSA) announced the launch of its [Training Provider Registry](#) as the final step in implementing new entry-level driver training standards for individuals seeking to obtain a commercial driver's license (CDL) or certain endorsements. The regulation's rulemaking process was conducted prior to 2016 after being authorized by Congress in 2012.

As of February 7, 2022, entry-level drivers subject to the Entry-Level Driver Training (ELDT) regulations must complete the required training from a registered training provider before obtaining a CDL or specified endorsement for the first time. State Driver Licensing Agencies will now use the information in the Training Provider Registry to verify that a CDL applicant has completed the required training before administering the applicable skills or knowledge test.

Individuals subject to the ELDT regulations include those applying to:

- Obtain a Class A or Class B CDL for the first time;
- Upgrade an existing Class B CDL to a Class A CDL; or
- Obtain a school bus (S), passenger (P), or hazardous materials (H) endorsement for the first time.

Individuals that hold a commercial learner's permit (CLP) issued before February 7, 2022 are **not** subject to the ELDT requirements, so long as they obtain a CDL before the CLP or renewed CLP expires.

Individuals that previously held the types of licenses or endorsements listed above are **not** subject to EDLT regulations, even if the previously-issued license or endorsement is no longer valid.

Individuals seeking to obtain entry-level driver training must search for a training provider on the Training Provider Registry at <https://tpr.fmcsa.dot.gov>. NDA will be communicating additional information and resources for members as they become available.

White House Releases Task Force Report on Unionization

The White House Task Force on Worker Organizing and Empowerment recently released its [report](#) which details nearly 70 recommendations – approved by President Biden – that promote worker organizing and collective bargaining for public and private sector employees.

Comprised of more than 20 participant agencies, offices and White House components, the White House Task Force on Worker Organizing and Empowerment is tasked with identifying executive branch policies, practices and programs that could be used – consistent with applicable law – to promote the Biden administration’s policy of support for worker organizing and collective bargaining.

According to the White House, the U.S. Department of Labor will work across agencies to implement the task force’s recommendations, including the following:

- Ensuring workers know their organizing and bargaining rights.
- Protecting workers who face illegal retaliation when they organize and stand up for workplace rights.
- Establishing a resource center on unions and collective bargaining.
- Collecting and reporting more information on unions and their role in the U.S. economy.
- Advancing equity across underserved communities by supporting worker organizing and collective bargaining.

It is important to note that this report simply provides recommendations and does change any existing laws or regulations. NDA will continue to track actions by the Biden administration on labor issues and keep members updated on the latest developments.

House Passes America COMPETES Act

Last Friday, the House of Representatives the American Creating Opportunities for Manufacturing, Pre-Eminence in Technology and Economic Strength (COMPETES) Act of 2022 which seeks to bolster American competitiveness with China through new investments in research, innovation and manufacturing. The bill includes \$52 billion to support U.S. production of semiconductor chips, \$45 billion to improve supply chains for critical items and \$160 billion for scientific research and innovation.

The America COMPETES Act is the House Democratic counter-proposal to the bipartisan U.S. Innovation and Competition Act (USICA) which passed the Senate last summer. Both House Speaker Nancy Pelosi (D-CA) and Senate Majority Leader Chick Schumer (D-NY) have announced their intention to form a conference committee to reconcile differences between the two bills.