

Project 2025 & its Effects on BAC

Fall 2024

Summary

- Repeals PLA and Davis-Bacon regulations for federal projects.
- Makes voluntary recognition (card-check) illegal.
- Eliminates union contract protections.
- Legalizes union “alternatives” like worker-management councils.
- Condone workplace retaliation.
- Allows states to ban labor unions and gut overtime and minimum wage laws.
- Permits employers stop paying overtime.
- Creates loopholes that allow businesses to put worker safety at risk.
- Eliminates child labor protections.
- Increases funding for and incentivizes participation in trade schools and apprenticeship programs.

Federal Department Reforms

- **Department of Labor (DOL)**
 - Recommends reinstating DOL’s Trump-era **PRO Good Guidance rule**, which limits its use of guidance in enforcement actions and gives the public the opportunity to submit comments to influence the department’s decisions on creating, revising, and even rescinding guidance. Under this rule, agencies cannot treat guidance as legally binding and must make all guidance documents readily accessible on their searchable online databases. ([Source](#))
- **Office of Labor-Management Standards (OLMS)**
 - Increases funding for the OLMS.
 - Empowers OLMS to authorize investigations of unions without the need for a complaint to be filed first, mirroring OLMS’s current authority regarding employers. ([Source](#))
 - Reinstates the requirement for unions to file **T-1 Trust Annual Reports**, which was eliminated under the Biden administration. ([Source](#))

- **Occupational Safety & Health Administration (OSHA)**
 - Allows national labor law, including health and safety standards, to be negotiated at the bargaining table. This effectively means all unionized workplaces are not subject to the minimum federal regulations and standards of non-unionized workplaces. [\(Source\)](#)
- **Department of Energy**
 - Recommends **eliminating the Office of Clean Energy Demonstration (OCED)** which is currently funding the following Bipartisan Infrastructure Law programs:
 - Advanced Reactor Demonstration Projects (\$2.5 billion).
 - Carbon Capture Large-Scale Pilot Projects (\$937 million).
 - Carbon Capture Demonstration Projects Program (\$2.5 billion).
 - Clean Energy Demonstration Program on Current and Former Mine Land (\$500 million).
 - Energy Improvements in Rural or Remote Areas (\$1 billion).
 - Industrial Demonstrations Program (\$6.3 billion).
 - Long Duration Energy Storage Demonstrations (\$505 million).
 - Regional Clean Energy Hubs (\$8 billion).
 - Regional Direct Air Capture Hubs (\$3.5 billion). [\(Source\)](#)

Union Finances

- **Multi-Employer Pensions**
 - Requires multi-employer pension plans to be subjected to the same level of regulation as single-employer plans, dividing liability among each participating employer.
 - Encourages the **Pension Benefit Guaranty Corporation** to terminate poor performing or underfunded union pension plans.
 - Recommends Congress **increase the variable rate premium on underfunding and eliminate the per-participant cap.** [\(Source\)](#)
- **Political Contributions**
 - Supports defining “political conflicts of interest by union leadership” as analogous to financial conflicts of interest and as a breach of the union’s “fiduciary duty of

loyalty.” It could (and likely will) be argued that this renders **nearly all union political contributions illegal**. ([Source](#))

Training & Apprenticeships

- Eliminates the Department of Education. ([Source](#))
- Supports the **reestablishment of the Industry-Recognized Apprenticeship Program (IRAP)** separate from the Registered Apprenticeship Program (RAP). ([Source](#))
- Promotes the establishment of **federally funded job training grants** to employers.
 - Advocates creating an employer grant worth up to \$10,000 per year or pro-rated portion thereof for each worker engaged in on-the-job training, defined as some share of paid time spent in a formal training program.
 - To qualify, a program—whether run by the employer, an industry consortium, a community college, or a union—would need to define program length, curriculum, career path, and credential and to report regularly on outcomes for participants. Programs that fail to deliver promised results would be disqualified from continued funding. Funding for employer grants should come from existing higher education subsidies that are currently disadvantaging alternative education options.

Organizing

- Supports the passage of the [Teamwork for Employees and Managers \(TEAM\) Act of 2022](#), which would:
 1. Eliminate the [National Labor Relations Act’s \(NLRA\) Section 8\(a\)\(2\)](#) prohibition on formal **worker–management cooperative organizations** like works councils, allowing them to serve as an “alternative” to unions.
 2. Create an “Employee Involvement Organization” (EIO) to facilitate voluntary cooperation on critical issues like working conditions, benefits, and productivity.
 3. **Amend labor law to allow EIOs at large**, publicly traded corporations to elect a non-voting, supervisory member of their company’s board of directors.
- Supports the [Workers Choice Act](#) which would **end exclusive representation**, losing union bargaining power in right-to-work states. ([Source](#))
- **Makes it easier for employers to retaliate against employees.**

- Narrows the legal definition of “concerted activity” so that statements made by an individual employee in a group meeting with management and other employees present does not qualify per se. ([2019 Alstate Maintenance LLC decision](#)).
- Encourages the NLRB to increase its use of reinstatement injunctions rather than other terms of redress. ([Source](#))
- **Mandates the use of secret ballot elections**, eliminating an employer’s right to recognize a union through card check.
- **Eliminates the contract bar**, giving workers unlimited time to decertify their union representation, as opposed to the current 45-day deadline. ([Source](#))
- Removes the requirement for employers to publicly disclose the hiring of **anti-union consultants** and legal teams. ([Source](#))

Workers Rights

- **Repeals Labor and Wage Protections for workers on federal projects.** ([Source](#))
 - Argues that PLAs result in “large-scale wage theft.”
 - Supports **ending federal PLA requirements** for large-scale construction projects.
 - Encourages the **repeal of Davis-Bacon** requirements.
- Allows national labor law, including **overtime and minimum wage protections**, to be negotiated at the bargaining table. This effectively means all unionized workplaces are not subject to the minimum federal regulations and standards of non-unionized workplaces. ([Source](#))
- Grants states and localities the right to apply for 5-year **waivers exempting them from the FLSA and NLRA**. It’s unclear if these exemptions would apply to government employees or all employees working in a given area. **This would allow states to effectively ban unionization.** ([Source](#))
- Upends all progress made on reforming **the joint-employer rule.** ([Source](#))
- Clarifies the regular rate of **overtime pay** to only include salary and not benefits. Furthermore, they allow for employers to calculate overtime in two- or four-week periods rather than each week. ([Source](#))
- Changes DOL’s hazard-order regulations to **permit teenage workers** access to work in dangerous occupations to solve labor shortages. ([Source](#))