

# THE WINTER 2021 CONSTRUCTION **USER**

A Publication of The Association of  
Union Constructors [www.tauc.org](http://www.tauc.org)

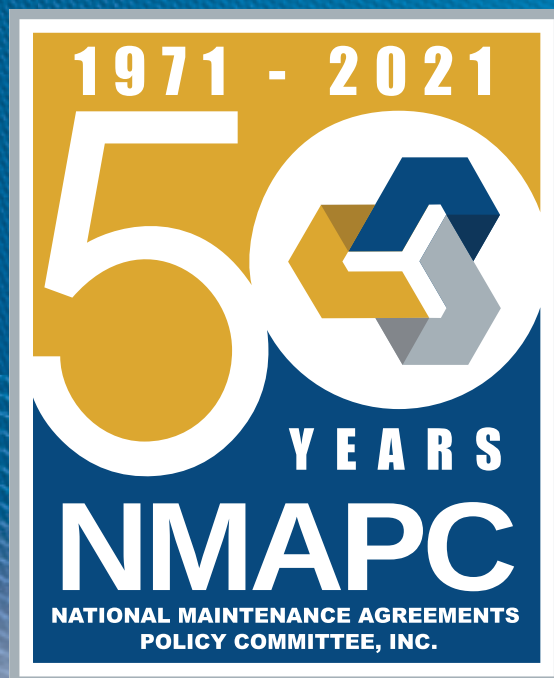
ADVANCING UNION CONSTRUCTION AND MAINTENANCE



Celebrating a  
**Half-Century  
of Excellence**

Special Section Begins  
on Page 8

Presorted Standard  
U.S. Postage  
PAID  
Washington, D.C.  
Permit No. 13



## *Celebrating 50 Years of Excellence*

**2021** marks the 50th anniversary of the **National Maintenance Agreements (NMA)** and the **National Maintenance Agreements Policy Committee, Inc. (NMAPC)**. We are excited to celebrate this milestone with signatory contractors, building trades partners, owner-clients and the entire union construction and maintenance industry!

The NMAPC is a labor-management organization that impartially negotiates and administers the National Maintenance Agreements, a series of collective bargaining agreements widely used by union contractors in the U.S. industrial construction and maintenance sector. These contractors employ members of 14 international building trades unions.

Since its inception in 1971, the NMAPC Program has provided standardized terms and conditions for work performed

throughout the United States. Contractors and their building trades partners have relied on it to ensure that even the largest and most complex projects are completed for their clients in a safe, timely, efficient and cost-effective manner. One of the primary goals of the program is to provide predictability and stability on behalf of all participating parties.

To date, the NMAPC Program has been used to complete projects totaling hundreds of billions of dollars and has generated well over 2.7 billion work hours (and counting) for the building trades and contractors.

In this special section, you'll learn how the NMA came to be the most influential project labor agreement in the industrial construction and maintenance sector — and how it continues to shape the industry today.

To learn more about the anniversary — and the legacy of both the NMA and the NMAPC — go to [www.nmapc.org/50](http://www.nmapc.org/50). You can download special 50th anniversary logos, a comprehensive history of the NMAPC and more! Bookmark the site and check back often — we'll be updating it throughout the year with new features as the half-century celebration continues!

# How It All Started: The Origins of the NMA



The half-century history of the National Maintenance Agreements (NMA) is too complex to summarize in one page — but we can explain how the NMA came about and why it was created in the first place.

In the early 1970s, the Iron Workers and their partner union contractors were facing stiff competition from Steelworkers for the maintenance work in steel facilities across the U.S. They needed to become more competitive. The Iron Workers teamed up with the National Erectors Association (NEA), the predecessor to today's The Association of Union Constructors (TAUC). At the time, NEA mainly represented contractors who employed Iron Workers.

Together, they came up with a simple but powerful idea: create a new project labor agreement, or PLA, focused on industrial maintenance. It would offer their clients — the steel producers — a predictable, streamlined process with preset rules for everything from overtime pay and holiday leave to potential job disruptions. Most important, it would eliminate the need for long, acrimonious negotiating sessions with the local unions. If done right, a new PLA would give Iron Workers and their contractors a strategic advantage — and provide steel producers an incentive to choose them over the Steelworkers.

By the spring of 1971, the very first National Maintenance Agreement had been created. The Iron Workers were the first to sign, followed by the Boilermakers later that year. Although created by the NEA, the NMA could be adopted by any building trades union and any contractor who used union labor. After all, Iron Workers weren't

the only ones performing industrial maintenance and repair at facilities across the country. Other unions were quick to realize the significance of the NMA. By the mid-1970s, 10 more would join, and by the mid-1980s, all 14 international building trades unions had signed the NMA.

What made the NMA so special? Well, it differed from other maintenance agreements in several significant ways. First and foremost, the NMA was controlled jointly by management and labor, whereas others were unilaterally controlled by unions. This innovative partnership was soon formalized with the creation of the NMAPC, an impartial body set up to administer the NMA, resolve conflicts and settle questions related to its use. Its motto was "Building a Partnership of Safety, Productivity, Quality and Strength." Joseph La Rocca, the executive director of the NEA, became the first Impartial Secretary of the NMAPC as well, and continued in both positions until his retirement in 1986.



*Early version of the logo*

The creators of the NMA also followed through on their pledge to make the new Agreement less cumbersome and restrictive for owners. Gone were the long-term contractual requirements that other agreements mandated. The NMA was designed to be a portable, open-ended tool for using skilled union labor on crucial maintenance and industrial construction projects. Flexibility is also important; each participating union is allowed to modify certain parts of the NMA to better fit their specific craft requirements, though they are still 99% similar in content. ■

## LEARN MORE: FREE ONLINE RESOURCES

Want to read more about the history of the NMA? In 2011, as part of its 40th anniversary, the NMAPC published an in-depth history of the Agreements from their creation in the early 1970s to the present day. It explains in great detail how and why the Agreements were developed and chronicles the effect they have had on the construction industry. Although it doesn't cover more recent events, it's still a valuable resource for those wishing to learn more about the NMA and the NMAPC. Download it for free at [www.nmapc.org/history](http://www.nmapc.org/history).

In 2018, we published a new promotional booklet that contains updated information on the NMA as well as a shorter and slightly revised version of the original 2011 history. You can download it at [www.nmapc.org/booklet](http://www.nmapc.org/booklet).

# Milestones: 10 Events That Shaped the NMA

1971

The Ironworkers and the Boilermakers become the first two building trades unions to sign the newly created NMA. Ten more unions would follow suit over the next several years, and by the mid-1980s, all 14 international building trades unions would be official participants in the NMA.

1988

With the U.S. steel industry on the brink of collapse, the NMAPC implements the revolutionary Steel Mill Modification, reducing labor costs and providing other benefits for steel companies that commit to using the NMA for their modernization and upgrade projects. It marks a turning point both for the steel industry as well as the NMAPC Program. (See full story on Page 11.)

2000

NMAPC establishes the Zero Injury Safety Awards® (ZISA®) program to recognize tripartite teams that achieve zero injuries on their projects in a calendar year. (See full story on Page 12.)

2004

The NMAPC creates a comprehensive online business platform for users – the first industry PLA to do so. No more faxes and snail mail: contractors and labor unions can file SERs and complete other important tasks online. What used to take days or weeks can now be accomplished in mere minutes, dramatically easing the administrative burden for all parties and ushering the NMA into the digital era.

2016

Embracing the power and promise of modern technology, NMAPC launches the NMA I.Q. E-learning Resource Center at [www.nmaiq.org](http://www.nmaiq.org). NMA I.Q. is the web-based home for “all things NMA.” It offers free, easy-to-follow online tutorials and short videos on virtually every aspect of the NMA, from a “How does it work?” general overview to detailed instructions and explanations on more technical aspects of the Agreements.

1981

The NMAPC is legally incorporated as a stand-alone entity. Previously it had been operating under the umbrella of TAUC's predecessor organization, the National Erectors Association; this move gives the NMAPC total independence and impartiality. It is also the first group within the construction industry to be formed under the Labor-Management Cooperation Act of 1978, a federal law designed to improve cooperation between unions and employers.

1996

The NMA turns 25 and undergoes its first major set of revisions, resulting in a more flexible and competitive Agreement. Among the changes: new language forbidding work stoppages; the creation of a new set of procedures to adjudicate jurisdictional (or “work assignment” in NMA-speak) disputes; and a new formal addendum process that, for the first time, allowed the committee to create modifications to the agreement for specific projects or sites based on the particular needs of a contractor or owner.

2008

The largest project ever performed under the NMA begins – a full-scale modernization of the massive BP Whiting Refinery in Whiting, Indiana. Also in 2008, more than 77 million NMA work hours are reported by contractors – the most ever for a single year – and the NMAPC crosses a threshold few had thought possible: more than two billion work hours performed under the Program.

2020

The Zero Injury Safety Awards® program celebrates its 20th anniversary, having recognized more than 310 million injury-free work hours.

2021

Stephen Lindauer – only the third Impartial Secretary/CEO of the NMAPC in its history – retires and is succeeded by Daniel Hogan. NMAPC also celebrates its 50th anniversary.

# How the NMAPC Helped Save the Steel Industry

**In the 1980s, steel producers were on the brink of disaster. Something needed to change — fast.**



The 1980s were a particularly rough decade for the U.S. steel industry. Once-dominant American companies were facing fierce competition from overseas markets, and to make matters worse, much of their equipment was outdated, run-down and unable to keep up with the production levels of the Japanese and other countries. Ironically, by 1984, steel companies that had once provided millions of hours of work under the NMA now ranked last among work-hour producers.

In order to stay competitive, a massive upgrade and modernization program for the U.S. steel industry was needed. The NMAPC sprang into action in the mid-1980s by embarking on a major project that came to be known simply as the Steel Mill Modification. The goal was simple: help U.S. steel companies modernize their facilities and regain their competitiveness in the world steel markets.

“U.S. steel companies were being challenged on the quality of their products,” recalled Steve Lindauer, NMAPC Impartial Secretary and CEO from 2006 to 2021. “They were individually embarking on major capital investments in their plants and equipment to try and gain the market share they had lost. The NMAPC took a look at what was going on and said, ‘Why don’t we as an organization come up with a program that would not only help the steel industry achieve its goals and thrive in the future but also provide work opportunities for our building trades crafts and contractors?’”

The result was the Steel Mill Modification, which worked this way: in return for agreeing to use the NMA on all their modernization and upgrade programs, participating U.S. steel companies would receive



a number of added benefits, not the least of which was a 10% across-the-board reduction in labor wages and the ability to implement flexible scheduling of work hours. The result was that NMA contractors and the building trades were guaranteed an enormous amount of new work, while steel producers, in addition to receiving the benefits of the “regular” NMA, also got a much-needed cost break and work schedule flexibility in order to help them retool for the future. Four large producers — U.S. Steel, LTV Steel, Bethlehem Steel and Sharon Steel — were the first to agree to the Modification, which remained in place from 1988 until 1991.

“It was unprecedented,” Lindauer said. “For the first time, the union construction industry essentially entered into an arrangement with an entire sector of private industry that resulted in the employment of union contractors and unions. Work

skyrocketed, and hours increased significantly during the period the Modification was in effect. And another upside is that as a result of that partnership more than 30 years ago, the NMA still maintains a relationship with many of those steel companies, even though the names and players have changed. Many of them still perform their day-to-day maintenance work and modernization programs under the NMA.

“I believe the NMAPC turned a corner with the Modification,” Lindauer added. “It really got people’s attention, and it was a great way for our contractors and the building trades to showcase who they were and what they had to offer. The NMA was already quite successful, but after the Modification — after we had stepped up to help rescue the steel industry — it put us on a different level. We became more of a known commodity.” ■

# Aiming for the “Impossible”: NMAPC and the Zero Injury Ideal



Workplace safety has always been a top priority for the NMAPC. Since its creation in 1971, the Committee's motto has been “Building a Partnership of Safety, Productivity, Quality and Strength.” The fact that safety is listed first is no mistake. If you crack open a copy of the National Maintenance Agreement, on the very first page appears a list of common priorities for contractors, unions and owner-clients. “Safety in all phases of work” is at the very top of that list — again, not a coincidence. In 2014, NMAPC created the Tripartite Codes of Conduct, three separate sets of principles for each link in the tripartite chain. The first item in each code addresses the same topic: the importance of creating and maintaining zero-injury jobsites.

You get the picture. Still, as much as the NMAPC has emphasized safety awareness, it would be incorrect to assume that the larger construction industry always puts safety first. In fact, today's intense focus on worker safety in general and zero injuries in particular is relatively new. Young people who entered the industry in the early 2000s or later have always been immersed in a safety-first culture, but veteran workers remember what it was like before that time.

So how did the industry complete such a dramatic transformation so quickly, and what role did NMAPC play? How did safety go from being a midlevel priority (at best) on more jobsites than we'd like to admit to an absolutely nonnegotiable element of every project, large or small?

## Turning the Ship Around

The evolution toward a zero-injury safety culture began in the 1980s. It was a slow and difficult process. It's hard to explain just how, well, crazy the concept of injury-free jobsites seemed to so many construction professionals. Injuries — even

fatalities — were considered a natural and unavoidable part of the job, especially on large, complex projects involving multiple trades and thousands of workers. The idea that you could go for weeks and months without a single recordable injury sounded preposterous, nothing but a pipe dream. Oftentimes if a worker became injured, it was viewed as their own fault.

In the late 1970s, Emmitt Nelson, a respected construction safety professional, served on a committee with the Business Roundtable that wanted to recognize safety excellence within the construction industry. They sent out applications to 400 major companies but received only seven responses from contractors and owners — a telling sign of how safety was viewed at the time. However, there was some “amazing information” in the handful of responses, Nelson recalled in 2016; two companies had worked a total of 6.5 million hours without a lost-time injury.

“The question was, how did they do that?” Nelson said. “I became involved with the research itself, done by the Construction Industry Institute...what we found is that safety feels good to the employee. They feel like they are part of the team and that the contractor leadership is really caring for them. When they buy in, it's like a lightning bolt and the observer can see the communications are more smoothly conducted, people are more receptive to one another, people are being treated with dignity and respect and their views are being honored. All of that means you have a more productive workplace and at the same time, injury rates go down.”

Throughout the 1980s and 1990s, Nelson continued to refine his research and created the basis for what would become the zero-injury philosophy. In a nutshell, it states that while no contractor can work forever without an injury, the most successful ones

have learned that “the fact that injuries occur does not mean that they *must* occur.” In other words, the expectation, from management down to the craftworker, is that there will be no injuries. When one does occur, contractors commit to doing whatever it takes to prevent another.

Things began to change when owner companies — many of which used the NMA on a regular basis — began to realize the true cost of contractor safety nonperformance, which often ran into the tens of millions of dollars annually. Owners who in the past had taken a hands-off approach to the safety standards of their contractors began to get more involved. Leaders in the industrial construction and maintenance fields began studying the methods of those companies that managed, seemingly against all odds, to consistently complete large projects without a single employee injury.

## ZISA® and the Road to Zero

Nelson's research on zero injury dovetailed perfectly with the NMAPC's long-time focus on worker safety. In 1999, the Committee decided to start recognizing industrial projects that were completed with zero injuries as a way to emphasize the quality of union construction and “boost the signal” of the zero-injury philosophy. Nelson, in conjunction with the NMAPC Safety and Health Subcommittee, drew up the guidelines for safety recognition. In 2000, the Zero Injury Safety Awards® (ZISA®) were born.

From the outset, ZISA® emphasized the tripartite nature of safety. Instead of giving out awards to individual contractors, each Zero Injury Safety Award is presented to a team, consisting of the contractor, local building trades union and owner-client. It's a way of acknowledging that safety is everyone's responsibility, and when



a project is completed without injury, everyone should be celebrated.

The reaction from the industry was overwhelmingly positive, and ZISA® quickly began to grow, as did awareness of what the zero-injury mindset was all about. The backing of a respected organization like NMAPC helped put zero injury “over the top.” It was seen not just as an interesting

theory or a fringe idea, but a solid, mainstream way of preventing serious accidents on the jobsite. And once the data started rolling in — millions of hours worked with no recordable injuries — it was simply impossible to ignore. Thanks to Emmitt Nelson’s hard work, the union construction and maintenance industry had undergone a “complete one-eighty” and

shifted its attitude toward safety in less than two decades.

Today, ZISA® is the most prestigious safety recognition program in the industry, having honored more than 310 million injury-free work hours over the last 20 years (see this year’s winners beginning on Page 16). ■

**MOBILE  
MEDICAL  
CORPORATION**



**On-site Medical  
Services**

**Reduce Risk On Your Projects**

**MMC’s services benefit your EMR with:**

- Dedicated Medical Professionals
- Basic Life Support + First-Aid
- Cardiac Diagnostics
- Follow Up & Managed Care
- Mental Health & Wellness Initiatives
- Substance Abuse Testing
- Cybersecurity Safeguards

*WBE with over 30 Year’s Experience*

**National Provider of On-site Occupational Medical Services**  
**877-688-8358 • info@mobmed.com • www.mobmed.com**



## 2021: Right Back Where We Started



When an organization reaches its 50th anniversary, there is a tendency to not just look back on past accomplishments but to begin planning for the next 50 years. What new challenges will come our way? How will we respond?

It's true that a lot has changed since the NMAPC was created in 1971. The world is vastly different, and our signatory contractors, together with their labor partners and owner-clients, face a formidable set of challenges, from the persistent threat of COVID-19 to new technologies that will transform our industry.

But in another (and arguably more important) sense, nothing has changed since 1971. As it enters a new era, the NMAPC Program is still built on the same foundation as before: a philosophy rooted in tripartite cooperation between owner-clients, contractors and the international building trades unions. It is the foundational

principle that guides everything we do, which explains why we're so confident and optimistic. Circumstances change, jobs come and go, but the benefits of wisdom and reason remain constant. As the old saying goes, you "dance with the one who brought you," and the NMAPC has no intention of switching partners.

The tripartite philosophy is based on the belief that mutual respect and open dialogue are the keys to a safe and successful jobsite — and a thriving industry. We must break down old barriers of fear and mistrust if we have any chance of succeeding. All three parties must talk to one another honestly and frankly — but they must listen as well.

This philosophy is embedded in the very DNA of the NMAPC Program. The Agreements mandate three-way cooperation — it's not a suggestion. For instance, every NMA project must begin with a

pre-job conference where the owner-client, contractor and union craftworkers meet in the same room to plan their activities, assign tasks and ensure proper safety procedures are in place before the first bolt is turned.

Through tripartite dialogue, the NMAPC has enshrined a set of priorities that reflect the common concerns of owner-clients, contractors and unions. These priorities inform every action we take:

- Safety in all phases of work
- No disruptions of the owner's work
- On-schedule performance
- Cost-effective and quality craftsmanship
- Productivity and flexibility
- A trained, available workforce
- Attainable work opportunities
- Resolution process for jobsite issues
- Consistent terms and conditions

By recognizing, addressing and delivering on these priorities, the NMAPC embodies a sense of true partnership. Everyone involved in the Program is committed to executing at the highest possible level. We're ready for another 50 years of excellence — and we hope you'll join us on the journey.



### EXPERIENCE



For 50 years, the National Maintenance Agreements (NMA) has been the PLA of choice for the union construction and maintenance industry. Now we've made it even easier to understand how the NMA works with NMA I.Q., a comprehensive eLearning system for contractors, clients and crafts. Whether you're new to the NMA or a veteran, try it today — it's free!

[www.NMAI.Q.org](http://www.NMAI.Q.org)