

Memorandum of Understanding
Between
[INSERT COUNCIL NAME] (“Council”)
and
[DEVELOPER NAME]

WHEREAS, [DEVELOPER] is developing the [INSERT PROJECT] (“Project”) in [LOCATION]; and

WHEREAS, [DEVELOPER] has a strong interest in building a better job site culture and promoting positive values among the Project’s construction workforce; and

WHEREAS, [DEVELOPER] has a strong interest in creating a work environment that attracts new and diverse talent, ensures workers are happy and committed, and improves productivity; and

WHEREAS, [DEVELOPER] has a strong interest in retaining the construction workforce on the Project and minimizing turnover; and

WHEREAS, the parties desire to address the perception that construction jobs are dirty, dangerous, and undesirable; and

WHEREAS, the parties seek to set an example of what a construction job site can and should be – a clean, safe, respectful, and desirable place of work that embraces employees of all experience levels, backgrounds, and beliefs, including young people, women, people of color, and other historically underrepresented groups.

NOW THEREFORE, [DEVELOPER] and Council agree as follows:

1. The Parties will work together to ensure that management and labor implement the Code of Conduct (attached), to ensure a respectful job site.
2. [DEVELOPER] shall provide, or cause to be provided on the Project:
 - a. Clean drinking water
 - b. Warm drinks in cold weather
 - c. Shaded break areas for those working in hot environments
 - d. Warm break areas for those working in cold environments
 - e. Hand washing stations with running water and soap, hand sanitizer dispensers, and disinfecting wipes throughout the job site, including site entries, exits, washrooms, eating areas, offices, and other public areas with frequently touched surfaces
 - f. For nursing mothers, a clean private area to express breast milk, other than a restroom, and a refrigerator suitable for storing milk
 - g. Personal protective equipment that properly fits
 - h. Defibrillator
 - i. Narcan in the jobsite’s First-Aid kits

- j. Contact information for Suicide Prevention and Drug and Alcohol Misuse Programs
3. [DEVELOPER] shall ensure that the Code of Conduct is posted throughout the jobsite in prominent and accessible places, including all designated entrances, where it can be easily seen by the workers. The Code of Conduct shall be posted both in English and Spanish, and any other language necessary to ensure comprehension and compliance among all workers on the Project, including supervisors and managers.
 4. [DEVELOPER] shall also provide, or cause to be provided on the Project, clean restroom facilities. [DEVELOPER] shall provide, or cause to be provided on the Project, separate facilities for men and women. The number of facilities to be provided for each gender shall be based upon the number of workers of that gender for whom the facilities are furnished and shall be in accordance with Table 1. The women’s facilities shall be stocked with feminine hygiene products and shall include a sanitary and discreet method to dispose of them. A method of hand cleansing shall be available at all facilities – either through a hand sanitizer solution and dispenser within the facility or by providing hand wash stations. All restroom facilities must be checked and cleaned before, during, and after shifts for maintenance of supplies and cleanliness.

Table 1

Minimum number of restroom facilities*	Number of workers regularly employed on the Project
1 toilet	1-10
2 toilets	11-20
3 toilets	21-30
4 toilets	31-40
1 additional toilet for each 10	Over 40

*Must include one separate facility (toilet) for women and an additional toilet for every ten women.

Nothing in this section shall interfere with any federal, state, or local law establishing minimum restroom requirements that are more stringent than those established under this Agreement.

5. [DEVELOPER] shall also provide, or cause to be provided on the Project, weekly Toolbox Talks at the start of a shift to review the Code of Conduct and to address: hazards, safety requirements, harassment and bullying, addiction, and mental health.
6. [DEVELOPER], the Council, and the General Contractor on the Project shall designate by mutual agreement a Labor Relations Officer (LRO) for the Project with the authority to

investigate worker complaints related to Code of Conduct violations. The LRO shall be a neutral third-party. The LRO shall conduct thorough investigations and make findings on whether a violation occurred. A worker accused of violating the Code of Conduct shall be entitled to representation from a steward and afforded due process. A worker who is found to have violated the Code of Conduct shall be subject to discipline, up to and including removal from the job site. Such disciplinary actions shall be subject to the PLA's grievance procedure.

7. [DEVELOPER] shall immediately notify the Council of any employee who is found to have violated the Code of Conduct and, as a result, was subject to disciplinary action.
8. This Agreement may be signed in counterparts, such that signatures appear on separate signature pages. A copy or original of this document with all signature pages appended together shall be deemed a fully executed Agreement. Copies, pdf, or facsimiles of signatures are the equivalent of original signatures.
9. This Agreement contains all the representations and the entire understanding of the Parties with respect to the subject matter of this Agreement. Any other prior correspondence, memoranda, or agreements, whether written or oral, are intended to be replaced in total by this Agreement.

For [DEVELOPER]

For [INSERT COUNCIL NAME]

Date: _____

Date: _____