

Construction Industry Workplace Law Update – Spring 2024

By Michael R. Hatcher, Charles T. Jeremiah, Dion Y. Kohler, M. Christopher Moon, Rosalie DiFlora & Nathaniel J. Higgins

April 3, 2024

Meet the Authors



Michael R. Hatcher

Principal

(703) 483-8328

Michael.Hatcher@jacksonlewis.com

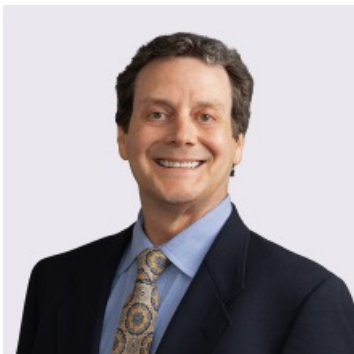


Charles T. Jeremiah

(Chuck)

Principal

Charles.Jeremiah@jacksonlewis.com



Percentage of Construction Industry Workers in a Union Continues to Decline

According to an Associated Builders and Contractors analysis, the percentage of construction workers who belong to a union dropped to a record low of 10.7 percent in 2023. This is the latest in a generational shift. Over the past 50 years, the percentage of unionized workers has decreased from 39.5 percent to the new low. Non-union construction employers should still be aware of unions and related labor law issues. We provide a few reasons here. [Read full article ...](#)

Exploring Trends in Construction: AI Technology, Accessibility, Mental Health, Diversity

The largest construction show in New York, the 2024 New York Build Expo, attracted architects, designers, contractors, and construction professionals from across the tri-state area. The event explored trends in the industry, including the prevalence of rapidly developing AI, ensuring building accessibility for individuals with a disability, mental health concerns for employers to actively address, and fostering diversity amongst the industry group. [Read full article ...](#)

What Court Striking Down Labor Board's New Joint-Employer Rule Means for Construction Employers

The U.S. District Court for the Eastern District of Texas struck down the National Labor Relations Board's 2023 joint-employer rule, which only required an entity to possess or reserve the right to control an employee's essential terms and conditions of employment, regardless of whether such control was exercised. *U.S. Chamber of Commerce et al. v. NLRB et al.*, No. 6:23-cv-00553. [Read full article ...](#)

Illinois Uses Pre-Apprenticeship Program to Increase Diversity in Construction Trades

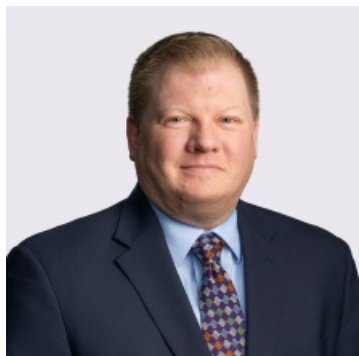
The Illinois Department of Commerce and Economic Development awarded more than \$18 million in grant funding to 36 recipients through the Illinois Works Pre-Apprenticeship Program. Recipients include contractor groups such as the Associated Builders and Contractors, colleges and universities, and non-profits dedicated to providing skills-building training that prepares individuals to enter full apprenticeship programs then enter the building and construction trades. The Illinois Works Pre-Apprenticeship Program was created by the Illinois Works Jobs Program Act, enacted in 2019, and launched in 2021. [Read full article ...](#)

Dion Y. Kohler

Principal

(404) 586-1843

Dion.Kohler@jacksonlewis.com



M. Christopher Moon

Principal

385-419-3531

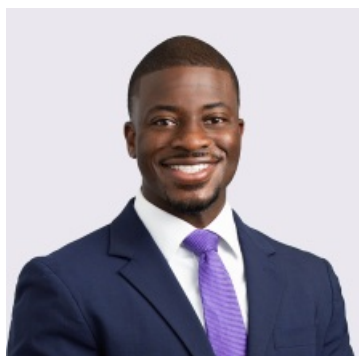
Christopher.Moon@jacksonlewis.com



Rosalie DiFlora

Associate

Rosalie.DiFlora@jacksonlewis.com



Nathaniel J. Higgins

Associate

832-900-5525

Nathaniel.Higgins@jacksonlewis.com

Related Services

Artificial Intelligence & Automation

Construction

Corporate Diversity Counseling

Disability Access Litigation and

Compliance

Disability, Leave and Health

©2024 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this

labor relations may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on employment and labor law since 1958, Jackson Lewis P.C.'s 1,000+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged and stable, and share our clients' goals to emphasize belonging and respect for the contributions of every employee. For more information, visit <https://www.jacksonlewis.com>.