



On behalf of the 70,000 skilled construction workers represented by the unions affiliated with the Minnesota Building and Construction Trades Council, I am writing to share our strong support for HF4659/SF4742, which would raise standards and enhance accountability for broadband installers while supporting the development of skilled local workforce and family-supporting construction careers.

Unions affiliated with the Minnesota Building Trades represent men and women who build every part of Minnesota's transportation, water and energy infrastructure — from highways and bridges to underground electric and gas distribution lines. Our members use skills learned on the job and through best-in-class training and apprenticeship programs to build infrastructure is safe and reliable. In return, our contractor partners pay family-supporting wages and benefits necessary for our members to pursue construction as a career, not just a job.

Minnesota Building Trades and our contractor partners are all too aware of the growing crisis in broadband installation. After all, it is union tradesmen and tradeswomen who build the underground gas, electric and other municipal infrastructure that is vulnerable to unsafe broadband installation practices, and who must repair the infrastructure after it has been damaged.

Minnesota maintains high standards in every other area of infrastructure construction — both for the quality of the work and the quality of the resulting jobs. Minnesota's public infrastructure is built with prevailing wage protections that provide a level playing field and encourage contractors to invest in a skilled workforce rather than participate in a race-to-the-bottom. Meanwhile, Minnesota's private energy infrastructure is closely regulated, and both investor-owned and cooperative utilities have similar incentives to invest in high-quality workforce and work.

Unfortunately, the cable and broadband industry is the exception. While they rightly seek recognition for broadband as critical infrastructure just like our transportation, water and energy systems, broadband providers resist being held to basic standards that apply to other types of critical infrastructure. For example, while public investments in every other type of construction — from roads to multifamily housing to environmental restoration — carry prevailing wage protections, the broadband industry is demanding three-quarters of a billion dollars in public subsidy with no job quality strings attached or even a commitment that jobs will go to Minnesota workers. [L] [SEP]

Similarly, while contractors who install gas and water lines are required to meet minimum workforce qualifications, an industry whose contractors operate drills around — and sometimes straight through — those lines rejects proposed minimum qualifications designed to prevent a catastrophic incident. Finally, while the private utilities that operate electric and gas systems can be held accountable by the Public Utilities Commission if their contractors hit data lines, telecommunications companies oppose any oversight over the threat their contracting practices pose to electric and gas infrastructure.

The model that Minnesota successfully applies to building and maintaining transportation, water and energy systems delivers safe and reliable infrastructure, family-supporting jobs and a skilled workforce second to none. There is no reason we should not put our increasingly vital broadband infrastructure on a similar path by establishing minimum training standards, holding broadband providers accountable for their contracting practices, and leveraging public dollars to incentivize best practices.

The fact that the industry has not been held to a higher standard is no excuse for failing to take action, especially when broadband providers are facing admitted challenges securing capable contractors and skilled workforce, which is forcing increasing reliance on out-of-state contractors. We also take issue with claims that the current lack of prevailing wage protections was a deliberate choice made by the legislature.

Minnesota Building Trades participated in the negotiations that resulted in coverage of “middle mile” and exclusion of “last mile” projects. Our understanding at the time, which was shared by others, was that only the last leg from the road to a home or business would be excluded, so that the majority of workers and work would be protected. In practice, however, the law has been interpreted in a manner that deprives the vast majority of broadband installers of wage protections.

Rather than establish a level playing field, today Minnesota’s program risks fueling a race to the bottom among contractors and workers, with predictable results that include high rates of turnover among workers who may earn less than half the wages and benefits of peers doing similar work for electric and gas contractors. Minnesota Building Trades affiliates work with many contractors that could help meet our broadband goals. However, most are unwilling to bid broadband projects because they would have to cut too many corners to remain competitive. Even responsible contractors working today in Minnesota’s broadband industry – union and nonunion – say that they struggle to compete in the face of pressure from contractors that pay their workers even less.

It is time for Minnesota to treat broadband as critical infrastructure, not only by investing in deployment of fiber to every home and business in the state, but also by holding the industry accountable to the same standards as other infrastructure operators and recipients of public funds. We urge legislators to adopt HF4659/SF4742 which takes an important step in that direction.

Thank you,

Tom Dicklich
Executive Director