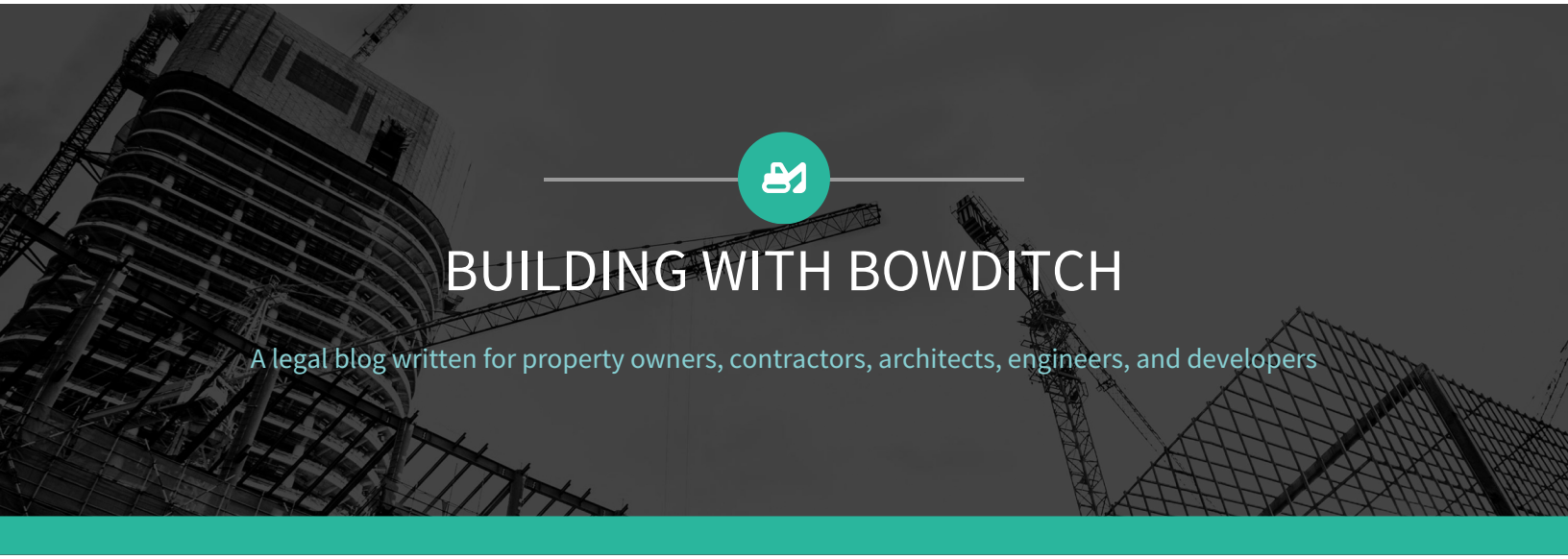

Project Labor Agreements in Massachusetts: The Rules Are Changing

BY MICHAEL P. SAMS • JULY 9, 2026

Project labor agreements, often called PLAs, are no longer a once in a while issue on Massachusetts public projects.

For years, the starting point was *John T. Callahan & Sons, Inc. v. City of Malden*, 430 Mass. 124 (1999). In that case, the Supreme Judicial Court held that Massachusetts public bidding laws do not automatically prohibit project labor agreements. But the Court made clear that an awarding authority needed a strong project specific record.

Under *Callahan*, a PLA could survive challenge where the project was of sufficient size, duration, timing and complexity, and where the awarding authority had undertaken a careful, reasoned process showing that the PLA furthered the goals of the competitive bidding laws.

Massachusetts has now added a new statutory path.

Under Section 283 of Chapter 238 of the Acts of 2024, a public agency or municipality may require a PLA on contracts for public works construction and may include the PLA requirement in the bid or proposal documents. Before doing so, however, the agency or municipality must determine, before issuing the request for proposals or bids, that using a PLA on that specific project is in the best interest of the Commonwealth, public agency or municipality.

That best interest determination is not a blank check. The agency or municipality must consider the effects of a PLA on:

- Construction efficiency, cost and economic benefits
- The availability of skilled, qualified workers
- Timing and prevention of delays or disruptions
- Safety and quality

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- Registered apprenticeship programs and workforce development
- Employment and training opportunities for women, minority workers and veterans

Governor Healey's Executive Order No. 641 adds another layer for Executive Department projects. r public works projects with estimated construction costs over $35 million, Executive Department agencies must conduct a pre-procurement review to determine whether a PLA is in the best interest of the Commonwealth or the agency. If that determination is made, the agency must require the PLA, unless an exclusion is permitted by law.

For contractors, subcontractors and public owners, the practical point is simple: PLAs are moving from exception to expectation on significant Massachusetts public work. The fight will likely be less about whether PLAs are ever allowed and more about whether the public entity made the right project specific record before requiring one.

On Massachusetts public projects, the PLA question is becoming less "Can they do that?" and more "Did they do the work required before they did it?"

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