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April 14, 2026

The Honorable James Creighton, Chairman
Labor, Industrial, and Rehabilitative Services Committee
New Hampshire House of Representatives

Senate Bill 88 (Birdsell)

Dear Chairman Creighton and Committee Members,

The National Federation of Independent Business (NFIB) represents more than 1,700 small businesses across New Hampshire. Our members operate in every industry and support their communities through good-paying jobs, taxes, and charitable contributions.

Small business owners deserve a level playing field and that is what Senate Bill 88 provides for construction contracts with state government entities.

Forcing non-union employers to adhere to rigid project labor agreements (PLA) or similar arrangements as a condition of bidding on government construction contracts means fewer opportunities for small contractors and higher prices for taxpayers.

In December 2024, Oregon attempted to compel all state highway construction contract bidders to adhere to a PLA via executive order. In its own analysis of PLAs prior to the order, the Oregon Department of Transportation concluded:

*"There is a consistent trend: that of open shop [non-union] contractors not bidding on PLA projects... The PLA analysis found the inclusion of a PLA was strongly correlated with increased construction cost within the range of 10% to 20%."*¹

A small contractor should not have to change its business model and undermine its own bid with artificially higher prices to secure a construction contract with the state. This bill ensures union and nonunion contractors are on equal footing for state projects.

Respectfully, we urge the committee to ensure fair competition by supporting SB 88.

Sincerely,

A handwritten signature in dark ink, appearing to read 'John L. Reynolds', with a stylized, flowing script.

John L. Reynolds
NFIB New Hampshire State Director
john.reynolds@nfib.org

¹ Jaquiss, Nigel, "Kotek's Gift to Trade Unions Contradicts Her Own Agency's Analysis," Willamette Week, 1/29/2025