A Case Study of the Better Builder Program in Texas

A Model for Improving Job Quality for Construction Workers

Julia Payne and Hailey D'Elia

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The Better Builder program, led by the Workers Defense Project (WDP), aims to improve job quality and conditions for construction workers by implementing worker safety and well-being standards on construction projects. Workers Defense Project is a member-led organization that supports worker justice for Latine immigrant workers. In Texas, where Better Builder primarily operates, construction workers face high injury and fatality rates, wage theft, and a lack of basic worker protection policies across the state. Developed in partnership with WDP's worker–members, the Better Builder program addresses these challenges by setting baseline standards for wages, benefits, health and safety, and skills training, and requires consistent monitoring to ensure compliance. Through partnerships with private developers and local officials of City of Austin and Travis County, Better Builder standards have been implemented on over 100 construction sites, impacting approximately 65,000 workers. This case study draws on interviews with Workers Defense Project staff and partners to document how the Better Builder program operates, and highlights lessons learned that may be useful to other localities and worker-based groups interested in improving job quality in other localities or industries.

Key lessons learned from the Better Builder program include:

- prioritize worker voice in advocacy efforts;
- understand community needs and design worker protections accordingly;
- independent monitoring is essential to the program design to ensure commitments to standards are met;
- use monitoring as an opportunity to educate workers;
- data collection can play a role in case-making for the program;
- communicate program expectations clearly to generate buy-in and address concerns with participation; and
- reinforce ties with allies and tailor policy and advocacy to the local context.

The Context for Texas Construction Workers

Texas has fewer worker protections in place than other states. In 2024, the construction industry made up about 5 percent ($140 billion) of Texas' GDP and employed 1.2 million workers.[1,2,3] In 2024, Texas had more fatal work injuries than any other state.[4] When accounting for population size, Texas is above the median rate across all states for fatalities per worker (Reindel, Shrestha, and Arberry 2025). Nationally, the construction industry has the highest number of fatalities among private industries and Texas has the highest number of construction-related deaths compared with every other state (Price, Timm, and Tzintzún 2013).[5]

In addition to unsafe working conditions, a study that surveyed over 1,000 Texas construction workers found a lack of preventative measures for ensuring job safety. Most surveyed workers had never received OSHA-10 training. 93 percent of the surveyed sites had safety violations; most commonly that Personal Protective Equipment (PPE) was not provided, and workers did not receive consistent rest or water breaks (Price, Timm, and Tzintzún 2013). In 2023, Texas House Bill 2127 88(R) was passed and signed into law, eliminating the power of local governments to pass ordinances that supersede certain codes within state law, including labor standards such as mandating water breaks for construction workers.[6] Texas is also the only state that does not require private employers to get workers compensation insurance (Price, Timm, and Tzintzún 2013).[7] This leaves uninsured workers (many of whom are also not offered employer-sponsored health insurance) subject to medical loss, wage loss, and overwhelming medical bills that cause significant financial burden.

Another major concern within the Texas construction industry is wage theft. Several studies have shown that the construction industry has high incidences of wage theft (employers failing to pay employees what they are owed) and payroll fraud (typically misclassification of workers, such as documenting a worker as an independent contractor rather than an employee). In 2017, an estimated 12 to 21 percent of construction workers in the United States were either misclassified or being paid in cash (Ormiston, Belman, and Erlich 2020). In Texas, between 2013 and 2015, approximately 4.4 percent

of construction workers were experiencing minimum wage violations, resulting in about $50 million in unpaid annual wages (Cooper and Kroeger 2017). When surveyed, more than 20 percent of Texas construction workers reported experiencing wage theft (Theodore et al. 2025). Wage theft not only leads to uncompensated work that disproportionately impacts vulnerable workers, but also significant loss of tax revenue for the state (Jacobs et al. 2022; National Alliance on Fair Contracting 2023; Ormiston et al. 2020; Price, Timm, and Tzintzún 2013).

Employees may hesitate to assert their rights and report labor violations due to fear of retaliation from employers. Data on workplace violations, including both injuries and wage theft, are undercounted due to underreporting (Michaels and Wagner 2024; Poydock and Zhang 2024).

Existing Models to Improve Job Quality and Protect Workers

One primary model that exists to improve job quality in the construction industry is the union-led Project Labor Agreement (PLA). Project Labor Agreements can protect workers and improve worker conditions by establishing baseline wages and benefits, workplace safety provisions, apprenticeship and local-hire targets, and administrative mechanisms (e.g., reporting and monitoring) that support enforcement and workforce development. PLAs set pre-hire, project-specific terms of employment (wage rates, benefits) that provide enforceable baseline standards for all workers on a project (Conner and Philips 2025; Glass and Walter 2023). PLAs also typically include safety provisions and no-strike/no-lockout clauses that reduce the risk of work stoppages and help projects proceed without labor interruptions, which has been linked to improved timelines and fewer labor disputes (Conner and Philips 2025; Glass and Walter 2023; Posson 2025). Studies have shown that PLAs did not reduce bidder participation or raise construction costs in the California public projects examined (Conner and Philips 2025; Posson 2025; Waitzman and Philips 2017). However, in Texas, due to the passage of HB 985 86(R), PLAs have become restricted from many state-funded projects.[8]

To note, the Better Builder program is different from a union-led agreement in that all the Better Builder standards apply to all workers on construction sites regardless of any union membership or status. Also differing from unions, WDP and the Better Builder program do not negotiate employment terms on behalf of workers who are interviewed on worksites. Better Builder standards can be seen as baseline worker protection policies that don't preclude additional standards, including any adopted through PLAs or other agreements.

Public procurement can also be a lever for advancing job quality. Many jurisdictions set labor standards for publicly funded construction, but most lack features or capacity that verify compliance through a consistent monitoring mandate. This is especially the case across subcontracting chains where job quality standards alone, without monitoring, often fail to translate into improvements for workers on the ground (Scott and D'Elia 2023).

About Better Builder

The Better Builder program addresses many of the issues faced by construction workers in Texas by outlining a set of standards to improve safety and job quality on construction projects. Through the Better Builder program, developers and contractors commit to adhering to a set of standards and allow monitoring of those standards on construction projects. The Better Builder standards were developed in partnership with WDP's worker–members and began in 2011 to improve safety and worker protections for construction workers in Texas. The program originally started by including the standards expectations on privately funded projects in Austin and eventually expanded to public projects within the City of Austin and throughout Travis County, where the program is now applied to public projects through a procurement requirement. Workers Defense Project staff, in collaboration with members, continue to operate the Better Builder program by conducting audits of the standards, exploring new opportunities to adopt the standards through policy, outreach to private developers, accrediting monitors, and providing oversight of the monitoring on active worksites.

In 2025, Workers Defense Project, in collaboration with local ally groups, participated in conversations with Harris County Commissioners and staff to approve the "Worksite Safety Policy," a comprehensive policy aimed at protecting the health and safety of construction workers on Harris County construction projects—valued at $1 million or more and subcontracts of $100,000 or more. This policy includes key elements of the Better Builder program standards, including compliance with federal and state health and safety laws, provision of Personal Protective Equipment (PPE) for workers, paid rest breaks, and scheduled and unannounced inspections by trained County Monitors.

What Are the Better Builder Standards?

Through conversations with their members, Workers Defense Project developed a set of standards that would ensure a baseline level of worker protection on worksites. Projects designated as "Better Builder-certified" have implemented these standards throughout the duration of the project, with oversight from monitors accredited through the Better Builder program. The standards were built around the primary concerns of Workers Defense Project members, and emphasize wages, health, and safety. Standards around wages include paying construction workers a living wage; compliance with all relevant local, state, and federal wage and hour laws; and paying workers by check or direct deposit (see box 1). These standards address common wage theft issues that Workers Defense Project members have experienced, including not being paid for overtime, employee misclassification, and being paid in cash—seemingly so that employers can avoid documentation of employment through a payroll.

Health and safety standards include requiring workers and supervisors to complete a 10-hour and 30-hour OSHA approved construction safety course, respectively; ensuring that construction workers receive personal protective equipment (PPE) at no cost to the worker; and that workers receive 10-minute paid rest breaks every 4 hours of work (see box 1). While original versions of the standards included mandatory water breaks to address the dangers of working in the hot Texas climate for long hours, this standard was replaced with "rest breaks" after TX HB 2127 88(R) was signed into law.[9]

The remaining standards include ensuring all construction workers on the project are covered by workers' compensation insurance; a goal to have 30 percent of the project workforce be students or graduates of local Registered Apprenticeship programs and bilingual trades training programs; and the owner/developer allowing an independent monitor to conduct bi-weekly site visits to evaluate compliance with Better Builder standards (see box 1). Monitoring is an essential part of the Better Builder model because it serves as a key mechanism to ensure that developers and contractors are in compliance with the standards and with local, state, and federal safety laws on worksites.

WDP staff expressed that they see the Better Builder program as a baseline of worker protection and job quality in the construction industry; they believe the program is necessary to address the prevalence of serious issues in the field related to safety, health, and wages. The Better Builder standards help raise the floor and level the playing field for fair contractors that are already providing good wages and safe conditions for their workers.

BOX 1

Better Builder Standards

Wage and salary:

- Compliance with all relevant local, state, and federal wage and hour laws.
- All construction workers on the project receive a living wage.[a]
- All construction workers on the project are paid by check or direct deposit.

Health and safety:

- Compliance with all relevant local, state, and federal safety laws.
- All construction workers receive one paid rest break of no less than 10 minutes for every 4 hours of work.
- All construction workers on the project receive personal protective equipment (PPE), free of charge.
- All construction workers on the project receive and complete a 10-hour, OSHA approved construction worker safety class prior to commencing construction work.
- All supervisors on the project receive and complete a 30-hour, OSHA approved construction worker safety class prior to commencing construction work.

Benefits:

- All construction workers on the project are covered by workers' compensation insurance.

Skills training:

- Commercially reasonable efforts are made for 30 percent of the project's workforce to be students or graduates of local, US Department of Labor Registered Apprenticeship programs or DOL-approved bilingual craft training programs that offer hands-on instruction at no cost or nominal cost.[b]

Compliance:

- Reasonable signage on the jobsite in both English and Spanish listing the Better Builder standards, where other federal and state regulatory signage is posted.

- Owner agrees to allow an independent, Better Builder-certified monitor on-site to evaluate compliance.

Notes: (a) Davis–Bacon or living wage in the County of construction, whichever is higher. For example, the City of Austin has a Living Wage rate, which is adjusted each fiscal year. (b) This is a goal, not a requirement.
Source: Workers Defense Project.

Participation in the Better Builder Program

Construction projects come to participate in the Better Builder program in a few main ways: private developments paired with incentives, bond initiatives, and procurement partnerships with Travis County (see table 1). WDP also builds on existing relationships with key stakeholders, including city and county officials, to advocate for the adoption of Better Builder policies on various construction projects.

- For **private developments,** WDP leverages its advocacy and education capacity to support policies that provide incentives for private developers to adopt the Better Builder program or similar standards. In 2017, the City of Austin passed an ordinance that amended the expedited permitting process so that private developers applying for expedited permits on projects over 75,000 square feet or $7.5 million in value agree to participate in the Better Builder program prior to receiving the expedited permit.[10] WDP staff noted that they also had success in attracting large-scale developments to Better Builder in partnership with City council members, who can help encourage private developers building in Public Improvement Districts (PIDs) to agree to implement Better Builder standards on these projects. In other cases, the Better Builder program attracts developers who understand the importance of worker safety on their sites and voluntarily join without additional incentives.
- Advocacy efforts have also been successful in calling for local leaders to include Better Builder program standards on public investments and infrastructure improvements in **bond packages.** When elected officials propose placing bond initiatives on the ballot, they hope for broad community support. This creates an opportunity for groups such as WDP to work with these elected officials to shape bond proposals and include community-led initiatives like the Better Builder program standards to attract more support.
- Workers Defense Project has also partnered with **Austin Energy Green Building (AEGB)** to combine sustainability goals with supporting the construction workforce. AEGB developed a rating system for evaluating the sustainability of buildings: projects must meet basic sustainability requirements and can achieve additional points for voluntary measures, including signing a pledge and committing to the requirements of the Better Builder program.
- **Public procurement** is another method through which the Better Builder standards can be adopted. Travis County requires the Better Builder program on designated projects valued above $1 million, with quarterly oversight check-ins from Workers Defense Project. Travis County operates the program with monitors embedded in their Contract Compliance Program, which operates within the Travis County Purchasing Office (see box 2).

TABLE 1

Examples of Better Builder Projects

Private Projects + Incentives	Bond Initiatives	Travis County Procurement
Examples of private development projects that have participated in Better Builder include hotels, corporate offices, and other large buildings: ▪ ARRIVE Hotel ▪ Canva ▪ Indeed	Public investment infrastructure projects that have participated in Better Builder through bond initiatives include construction on: ▪ Austin Community College Campuses, and ▪ Austin Independent School District projects	Travis County construction projects that are large enough to adopt Better Builder include: ▪ Bee Creek Sports Complex ▪ Harold Green Extension ▪ Probate Courts Renovation

Source: WDP, authors' analysis.

Once developers have agreed to participate in the Better Builder program, Workers Defense Project hosts a pre-construction meeting with the developers, independent monitors, and the general contractor to go over the standards and expectations for the program, including any fees or costs associated with program participation. Staff noted that ideally, they meet prior to requesting bids from subcontractors, so that Better Builder program requirements can be communicated to all parties. Pre-construction meetings provide opportunities to ensure everyone is on the same page and aware that the monitors will perform bi-weekly site visits to interview workers and to confirm compliance with the Better Builder standards.

BOX 2

The Role of Procurement in Implementing Better Builder Standards in Travis County, TX

Travis County implements Better Builder standards through its Purchasing Office Contract Compliance Program (TCCCP). The Purchasing Office performs all procurement functions on behalf of Travis County departments. The program operates with the same key Better Builder components established by WDP, a set of standards to which construction developers and contractors adhere, with ongoing monitoring. However, there are a few key differences between the County program and WDP's program:

- Some of the Better Builder standards were adapted to the local context: Travis County Better Builder standards mandate payment of the Davis–Bacon federal *prevailing wage* as a minimum, and **encourage** payment of a *living wage* when that wage rate is higher than the federal prevailing wage.
- Workers' compensation is already a requirement for public works (taxpayer-funded) projects.
- Travis County has its own staff who serve as Better Builder monitors, trained and accredited by Workers Defense Project.
- "Better Builder-certified" projects (over $8 million) are monitored by accredited TCCCP staff with periodic monitoring assistance and oversight by Workers Defense Project.
- Better Builder-"consistent" projects ($1 to $8 million) are monitored internally by accredited TCCCP staff only with no WDP oversight.

- Incidences of reported wage theft result in a statutory penalty of $60 per day per worker that is paid back to Travis County.
- Employers who underpay their workers must pay those workers restitution, document the restitution, and provide such documentation to the TCCCP staff.

Staff attributed successful adoption of the Better Builder program in Travis County to the centralized nature of the procurement process in the county. This allows all the procurement specialists and buyers to be on the same page to ensure the solicitations for Better Builder-designated projects include the Better Builder standards so that all bidders know the expectations up front and are bidding on an equal playing field.

Notes: To learn more, see Results for America and Trailhead Strategies' case study on Travis County at https://results4america.org/wp-content/uploads/2023/09/Procurement-Case-Study-Travis-County-Texas-Better-Builder-FINAL.pdf.

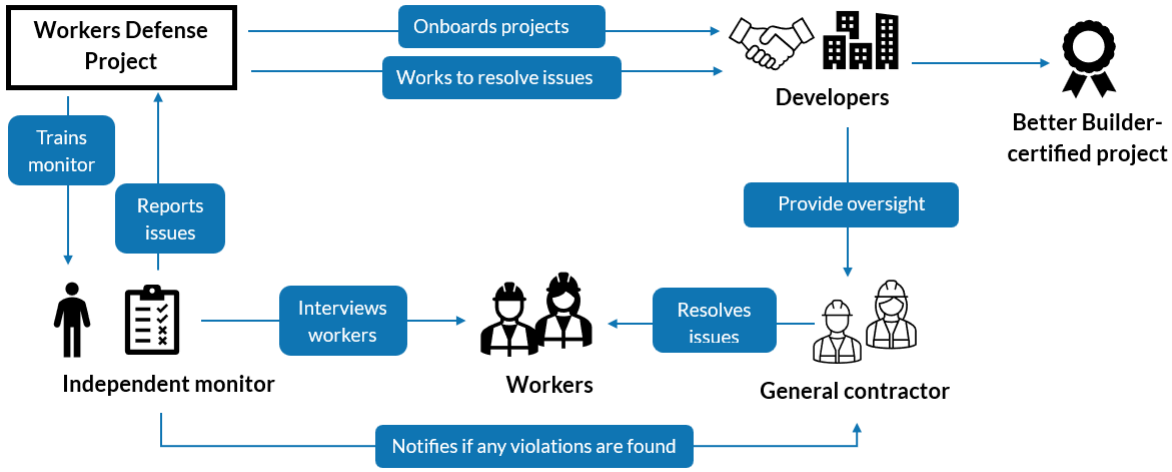
How Does Monitoring in the Better Builder Program Work?

Workers Defense Project attracts and onboards development projects to the Better Builder program. As part of this agreement, developers agree to adhere to the Better Builder standards, including independent third-party monitoring. Third-party monitors are trained and certified by Workers Defense Project. Monitors interview construction workers every two weeks to determine if the Better Builder standards are being implemented on work sites.

If monitors identify any issues, then they notify the general contractor in charge of the construction project. At the same time, they alert Workers Defense Project and the developer. The general contractor is responsible for resolving the issue. If issues persist, then Workers Defense Project will engage the developer to mediate a resolution between the general contractor or subcontractor and the worker. Through the lifecycle of the construction project, this process continues and the project is certified as a Better Builder site.

FIGURE 1

Better Builder Program Flow Chart



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Source: Authors' analysis.

Monitoring is a critical component of the Better Builder program model, and monitors serve as important partners with WDP in ensuring the quality of the Better Builder program. Monitors are accredited and trained by WDP staff to visit worksites every two weeks and conduct as many interview surveys with workers in English and Spanish as possible. Each conversation is around five minutes and monitors keep interviews as confidential as possible. The questions are related to the Better Builder standards, such as whether the worker is receiving PPE, rest breaks, overtime pay, and so on.

When issues are identified, the monitor notifies the general contractor, WDP, and the developer. They verify whether the reported issue is as described by the worker: sometimes issues can be resolved quickly with the contractor following up and providing documentation of an OSHA 10 certification or payroll. Other times, the monitor continually follows up to get issues resolved, such as making sure that a worker receives OSHA 10 training. Persistent follow-up from the monitors is how the program enforces compliance with the Better Builder program.

Staff noted that the relationship between monitors, Workers Defense Project, and the developers is essential to the success of the model. They noted that often when monitors identify issues that workers raise, the line of communication with all parties is essential to resolving issues; the developer or the general contractor may not always be aware of what is happening day-to-day on a construction site. Increased communication between the developers, contractors, and eventually subcontractors as a result of monitoring is the most important piece of the Better Builder model that ultimately improves conditions and safety for workers. Building trust between all parties is a critical component of ensuring compliance.

Monitoring also plays a critical role in communicating the standards to workers and educating workers about how the standards affect their work on the project. Staff noted that sometimes when the monitors meet with workers, it is the first time the workers have heard about the requirements for worker protections under the Better Builder program, and partners described this aspect of the work as rewarding for the monitors.

> **"The impactful part of [monitoring] is that each interview is an opportunity to educate those workers… you need to advocate for [workers]. If your governmental entity cares… you're going to implement this program."**
>
> *—Better Builder Travis County partner*

Impacts of Better Builder

WDP and third-party monitors also collect data on Better Builder projects to understand the reach of the program. Since its inception in 2011 to 2026, the Better Builder program has achieved the following:

- Better Builder standards have been implemented on over 150 project work sites in Central Texas.
- In total, around 65,000 workers have been impacted by the Better Builder program.
- Approximately one-third of surveyed workers reported receiving OSHA-10 training for the first time.
- Just over one-fourth reported receiving workers compensation for the first time.
- Around $183,000 wages have been recovered. Seven percent of workers on Better Builder sites report receiving a wage increase from their previous job.
- Completed projects with Better Builder standards have reached over a total of $500 million in projected value.

Lessons Learned

Through interviews with staff, partners, and monitors, several clear themes emerged as lessons learned around the design and implementation of the Better Builder program. These themes could be useful to other localities and worker-based membership groups that are interested in leveraging the public procurement process, coordinating agreements with private developers, and advocating for policies to improve job quality for workers in the construction industry.

- **Prioritize worker voice in advocacy efforts.** WDP staff emphasized the importance of the Better Builder program standards having been designed by their members—those directly impacted—and the central role members play in advocating for policies that protect workers.

- **Understand the needs of the community and design worker protections accordingly.** Many of the Better Builder standards fill gaps in worker protection laws that are not covered by federal, state, or local law, regulation, or policy, or that are not always adhered to. Understanding the underlying problems in the Texas construction industry (e.g., high injury rates, wage theft, lack of workers' compensation) was key to developing standards and gaining support for the program.
- **Independent monitoring is essential to program design to ensure standards are met.** WDP staff noted that monitoring is the key mechanism of the Better Builder program: while voluntary commitments and policies can support workers, without oversight, these methods often fail in practice. Though there are some responsible employers who prioritize the safety of their workers, there are also employers who will not do the right thing unless it is required, and even then, robust enforcement and compliance is needed to ensure compliance with the standards and commitments. Worker protections like the Better Builder program can help level the playing field, so that in bidding processes, employers who are willing to cut corners and put their workers at risk or exploit their labor aren't able to undercut employers who prioritize worker safety. Better Builder partners also highlighted that monitoring works best as an independent function—separate from advocacy—which allows monitors to build their own relationships with developers.
- **Use monitoring as an opportunity to educate workers.** Staff emphasized that the most important and rewarding part of the Better Builder model was the opportunity to talk with, educate, and protect workers. They noted this was especially true on larger projects, with longer subcontracting chains where workers may be less likely to have heard about the Better Builder standards.
- **Data collection can play a role in case-making for the program.** Monitors collect data to demonstrate the impacts of Better Builder standards on workers. Workers Defense Project uses data to continue to improve the Better Builder program and communicate its reach to allies and stakeholders.
- **Communicate program expectations clearly to generate buy-in and address concerns with participation.** Better Builder partners noted that the program offers a service to developers and emphasized how they communicate the benefits of the program to all stakeholders by centering the shared desire to maintain safety and worker morale on construction projects. Uplifting workers' safety makes a compelling business case: if workers are trained well and the job site has safety protocols in place, developers may reduce insurance costs with fewer injuries and provide high-quality construction.
- **Reinforce ties with allies and tailor policy and advocacy to the local context.** Working with key partners, such as Travis County, made the process of adopting and advocating for Better Builder standards on other public projects much easier. Workers Defense Project staff also noted that the approach to gathering support for the program may look different in different counties, and tailoring the approach to the unique locality is important in efforts to scale the

program. Staff highlighted that specific knowledge of the local policy context, important community stakeholders, and government agency structures can help target the outreach to encourage program adoption.

Through a combination of standard-setting and monitoring, Better Builder demonstrates a model that improves job quality in the construction industry while centering workers and addressing community needs. Understanding the industry context and tailoring the program to the local policy environment has allowed Better Builder to grow and support more workers over time. This case study offers a useful model to other communities and organizations seeking ways to strengthen worker protections and improve job quality.

Notes

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About the Authors

Julia Payne is a research associate in the Work, Education, and Justice Division. Her research focuses on workforce development strategies and policies to support low-income students, workers, and families. Her work supports qualitative and quantitative research on topics including youth career pathways, apprenticeship, equity in career and technical education, job quality, and opportunities to better support low-income families. She holds a master's in public policy from the University of Virginia.

Hailey D'Elia is a research analyst in the Work, Education, and Justice Division. Her research focuses on transition-age foster youth, workforce development, labor markets, and postsecondary education.

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