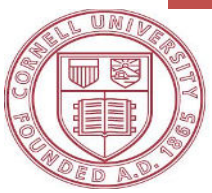

Cornell University
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Community Workforce Provisions in Project Labor Agreements: A Tool for Building Middle-Class Careers

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Maria Figueroa, Jeff Grabelsky, Ryan Lamare

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Executive Summary

Over the last 15 years, coalitions of unions and community organizations have succeeded in advancing employment and career models for demographic groups that have been traditionally underrepresented in the construction industry. These coalitions have outlined the employment and career models in Community Workforce Agreements (CWAs), which have resulted from the introduction of targeted hiring and career development provisions in Project Labor Agreements (PLAs). PLAs have been the focus of intense policy and research debate, which centered on the agreements' cost-effectiveness and impact on market competition and economic development of communities where the projects take place. Previous research has documented extensively the benefits of PLAs in relation to cost-efficiencies, workplace safety and dispute resolution.[1] PLAs can achieve cost savings by standardizing terms of the various crafts' agreements in the area, including work hours, paid holidays and overtime; and by allowing for expanded use of apprentices. According to a study of PLAs in New York State, this type of adjustments resulted in $44 million per year of cost savings to taxpayers from 2004 to 2009 for a project of the School Construction Authority. In addition, PLAs produce indirect savings related to higher productivity and uninterrupted production resulting from no strike clauses and alternative dispute resolution procedures.[2]

This present study focuses on the community development impacts of PLAs and CWAs by exploring the following key research and policy questions:

- Can PLAs or CWAs be a tool for helping create middle-class careers in the U.S. construction industry?
- To what extent have PLAs across the country incorporated the key elements of CWAs (targeted hiring and other social investment provisions)?
- What are key contributing factors for the effective implementation of CWAs?

This report presents results of a national study of PLAs, consisting of content analysis of more than 185 agreements and a survey of Building Trades Councils from across the U.S. This study found that PLAs and CWAs can constitute an effective overarching framework for enforcing laws and regulations that promote equal employment and career opportunities for residents of low income communities, women, minorities, and disadvantaged or at risk populations. In the absence of PLAs/CWAs, enforcement of the labor rights of these groups, as well as those of all other workers, is challenged by the lack of structured monitoring mechanisms and systems that are currently only offered by collective bargaining and union representation.

Among the key findings:

- More than 100 PLAs implemented during the last 14 years have incorporated various types of community workforce provisions. The most widely used provisions involved the hiring of

[1] Belman and Bodah (August 2010)
[2] Kotler (2009), (2011).

local area residents and apprentice utilization levels. 139 PLAs included Helmets-to-Hardhats provisions to promote the entry of veterans into the construction industry.

- 45 PLAs included provisions for employment and career opportunities for economically disadvantaged populations.

- 103 PLAs contained provisions for preferential hiring of women and minorities. 50 of these PLAs required compliance with ratios specified in local codes, owner/agency bid provisions, and other binding agreements related to the PLAs.

- There is significant variation in the number and type of community workforce provisions included in the agreements across geographic regions and over time. PLAs in the Mid-Atlantic region were likely to have more community workforce provisions than any other region. Local hire provisions were far more predominant in the West and Northeast than elsewhere, and provisions related to the economically disadvantaged and implementation processes were disproportionately found in Mid-Atlantic PLAs. **Agreements during recent years tended to have more community workforce provisions than those signed prior to 2004.** Helmets-to-Hardhats provisions have become far more widespread during recent years than prior to 2004, and minority and women hiring provisions also appear to be on the rise.

- Three case examples of PLAs/CWAs included in this report reveal that the implementation of community workforce or targeted hiring provisions have increased job and career path opportunities in the construction industry to workers from low income communities and minorities in Washington, DC, New York City, and Cleveland. While most of the existing studies have focused on PLAs/CWAs in the West Region, this present study's contribution is to examine specific experiences in the Midwest and Mid-Atlantic states.

- In Cleveland, the PLA/CWA implemented for the construction and expansion of the Cleveland University Hospital offers an interesting example of a large private sector project ($500 million in value, generating 5,200 jobs) with mechanisms to involve the community through the City Council and to utilize a pre-apprenticeship program at a vocational high school. The Washington Nationals Stadium PLA in D.C. covered a $611 million project, with outcomes that exceeded the goals and targets set in the agreement. A Memorandum of Understanding signed between the Building and Construction Trades of Greater New York and the New York City government has established a direct access system for women, minorities and low-income individuals to access apprenticeship training and employment opportunities under several city agency projects covered by PLAs.

- As this and previous studies indicate, the main challenges to community workforce provisions arise in the implementation of the agreements. The cases examined in this report show that some of the contributing factors to successful implementation include the

utilization of pre-apprenticeship programs for recruiting key populations, flexibility in formulating targets to fit the characteristics of the labor market (New York City), and flexibility in adjusting processes and plans along the way to address unanticipated challenges (Cleveland, Washington D.C.).

- Acknowledging the need for additional research on implementation and outcomes, the findings of this study suggest that PLAs and CWAs can be effective tools for promoting economic development of communities in general and of traditionally underserved populations in particular.

Introduction and Overview

Project Labor Agreements are comprehensive contracts between a construction client and a consortium of unions. They have been used in the construction industry for over 60 years to achieve uniform labor standards, stability and high quality for large construction projects, and are currently evolving to address broader social and community issues. **Community Workforce Agreements are PLAs that contain social investment or targeted hiring provisions to create employment and career path opportunities for individuals from low income communities.**

Pioneering examples of CWAs included the Los Angeles Community College District PLA (signed in April of 2001), providing for 30 percent of local resident workforce (20 percent of which should be individuals from economically disadvantaged and at-risk populations); and the Port of Oakland (California) PLA (implemented from 2001 to 2008), setting goals for employment of disadvantaged populations and utilization of minority-owned businesses. The first agreements on the West Coast were developed in response to communities' demands for increased opportunities in the construction industry. To address these demands Building Trades Councils began negotiating PLAs with local hiring provisions. Other successfully implemented CWAs in the West include the Los Angeles Unified School District PLA (2003) and the City of Los Angeles Public Works construction projects (2006). Studies by the Partnership for Working Families and by UCLA found that these CWAs resulted in increased employment and retention of local workers, middle-class career paths and poverty reduction in Los Angeles communities, and that they currently constitute "the basis on which the city can monitor and assess the number of local residents working on its projects."[3]

This report profiles the wide range of PLA/CWA provisions that have been designed and implemented during the last 15 years to establish goals and structures that assist in the creation of new standards and the implementation of new and existing laws and regulations related to the labor and employment rights of low income communities, women, and minorities. Study methods involved the following:

[3] UCLA Labor Center, "Construction Careers for our Communities"; Owens-Wilson, S., "Constructing Buildings & Building Careers," The Partnership for Working Families, August 2010.

- Content analysis of 185 project labor agreements that have been administered by about 70 building trades councils over the last 15 years, including a statistical analysis of the characteristics of the agreements.[4] This analysis examined the variations in the number and type of community workforce provisions by geographic region, time period, and size of the Council; and estimated the influence that these factors might have on the characteristics of the PLAs and the specific provisions they included.

- A survey of Building and Construction Trades councils to supplement the PLAs content analysis. A survey questionnaire was sent to more than 300 councils across the country. As of the writing of this report, 45 responses have been received, representing a response rate of 15 percent. The completed surveys came from a cross-section of councils including some of the largest organizations (such as the Los Angeles/Orange County BCTC, Greater New York, Milwaukee, and Seattle), as well as medium size and relatively smaller councils.

- Three case examples of implementation of community workforce provisions. The case examples were developed using information collected through interviews, as well as other primary and secondary sources. The criteria for selecting the three specific cases (Cleveland University Hospitals, DC Nationals Stadium, and New York City PLAs) included geographic location, project size and market ranking, and the distinct processes and outcomes that each of the cases possessed, which could offer valuable lessons to other councils and communities engaged in the implementation of PLAs/CWAs.

It is important to note that each CWA (or PLA containing community workforce provisions) is unique in that the agreements are implemented in the context of a geographically determined construction market and are designed to address the specific needs of the local communities. Additionally, PLAs/CWAs that do not include the full range of community workforce provisions can still address the employment and training needs of all or most of the target categories because the relevant populations often overlap; and also because the agreements establish mechanisms such as direct access (to registered apprenticeship programs) for graduates of pre-apprenticeship programs, which are geared to promote training of the target populations. For instance, PLAs/CWAs do not always contain provisions or goals for the disadvantaged and at-risk workers category, but the agreements may establish goals and structures for employment and training of local residents and of members of minorities. Local hire goals can overlap with disadvantaged worker goals because economically disadvantaged and at-risk individuals often represent the majority of the local resident population. This is also the case with other target categories, such as the women and minorities category, for which employment and training goals can also overlap with goals set for local hires. Consequently, it cannot be concluded that a PLA/CWA does not focus on the disadvantaged or on minorities because it lacks certain provisions.

[4] The 185 PLAs were randomly selected for content analysis from the universe of available PLAs, which include approximately 690 agreements over the past 15 years. The only criterion influencing the selection was an attempt to ensure geographic spread, so that no one region or state dominated the results.

Community workforce provisions in PLAs help generate demand for apprentices. Giving targeted populations privileged access to union-based apprenticeship programs is meaningful only if there are sufficient employment opportunities for apprentices. Pre-apprenticeship programs can recruit individuals and prepare them for successful entry into and completion of skilled crafts apprenticeships, but progress through the apprenticeship requires a stipulated number of hours worked each year. So there must be sufficient demand for apprentices in order for the system to deliver on its promise of lifetime construction careers. Moreover, the union-based apprenticeship system is supported and sustained by the collective bargaining process, of which PLAs and CWAs are now an increasingly important part. That apprenticeship system represents the most effective training mechanism in the United States, with 15,000 certified instructors, 1,500 state-of-the-art training facilities, and hundreds of millions of dollars of private capital. Construction contractors generally lack the resources or will to invest in training on their own. Given the transient nature of employment in the industry, individual employers fear that investments in training their current employees might benefit their competitors when their current employees go to work for other employers. But through the collective bargaining process, employers agree to invest in jointly administered apprenticeship programs that offer industry-wide skills training. PLAs and CWAs are critical elements of the entire system and ensure fair and equitable access to it.

In summary, a fair assessment of PLAs/CWAs requires examining the agreements in their entirety, taking into account all their elements and interconnectedness. And to provide conclusive results about their effectiveness in achieving social investment goals, it is necessary to observe outcomes from implementation over a protracted period of time to evaluate impacts on workforce development and retention. However, this present study does not attempt to examine results at a national level; rather it focuses on the three cases mentioned above.

Profile of Community Workforce Provisions

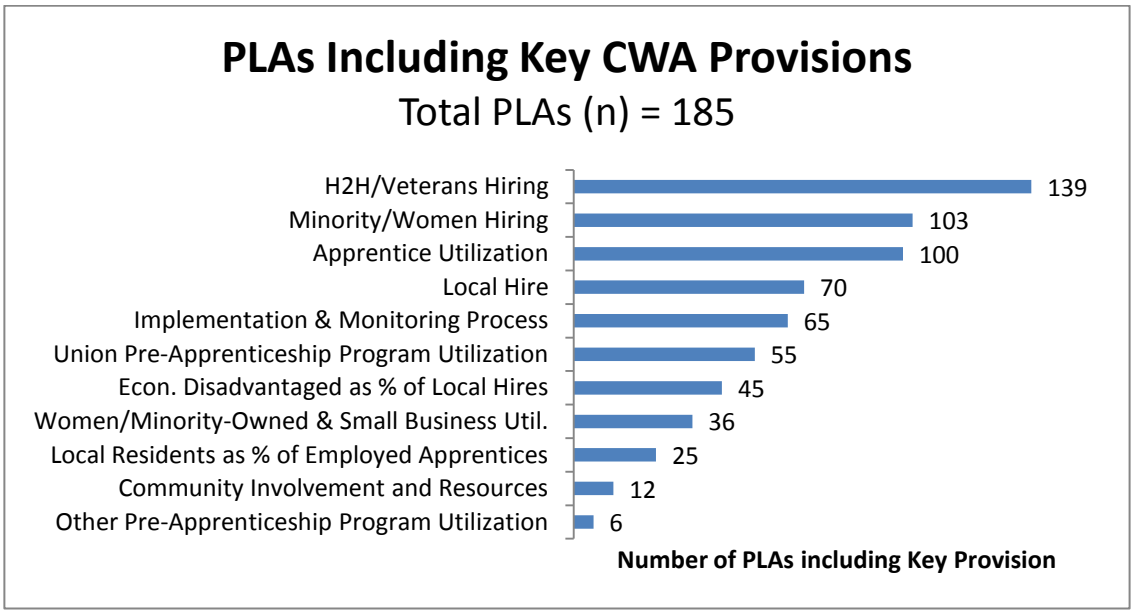
This study examines the extent to which PLAs throughout the country have included key provisions related to community and workforce development as well as hiring and training of women, minorities, and disadvantaged or at-risk individuals. For this purpose, 185 PLAs dated from 1995 through 2010 were reviewed for content analysis. Even though the 185 PLAs reviewed represent only a fraction (about 23%) of the more than 800 PLAs that have been signed and executed over the last 15 years, they provide insight about the type of community workforce provisions contained in PLAs. The results of this review were supplemented with a survey of Building and Construction Trade councils from across the U.S.

Based on a review of the literature and extensive consultation with union and industry experts, the following types of provisions were identified as key elements of Community Workforce Agreements:

- Requirements or goals for hiring of local residents
- Hiring and workforce development of economically disadvantaged and so called at-risk individuals, who are local residents

- Hiring and workforce development of women and members of minority groups, including African Americans, Latinos, Asians, Native Americans, and others
- Hiring of veterans or Helmets-to-Hardhats Programs
- Apprentice Utilization requirements, and requirements or goals for percent of employed apprentices that should be local residents
- Utilization of women/minority-owned and local small businesses
- Utilization of union-supported Pre-Apprenticeship Programs, as well as of community-based pre-apprenticeship programs
- Involvement of community-based Organizations in the recruitment and monitoring efforts
- Development of an implementation and monitoring process or plan

The graph below shows the frequency distribution of the above CWA provisions as determined by their inclusion in the 185 PLAs reviewed. The most widely adopted provision was Helmets-to-Hardhats (H2H), which was found in 139 PLAs reviewed. The second most widely adopted provision was the hiring of minorities and women, which was included in 103 PLAs. Provisions setting goals or requirements for employment of local residents were found in 70 PLAs, and provisions about employment of disadvantaged and at-risk workers were found in 45 agreements. One hundred PLAs included provisions about apprentice utilization requirements, 55 included provisions related to the utilization of pre-apprenticeship programs run by unions, and 6 included provisions about utilization of pre-apprenticeship programs run by community-based organizations.



The 185 PLAs that were reviewed under this study vary widely in terms of the number of key provisions they include, ranging from the most comprehensive to the most limited (including one or none of these provisions). The table below shows that 10 percent of the PLAs (18 of 185) included 7 to 9 key community workforce provisions. Thirty nine percent (73 agreements) included 4 to 6 key provisions and 48 percent (88 agreements) included 1 to 3 key provisions.

Table 10: PLAs by Number of Key Community Workforce Provisions

Number of Key Provisions Included in the PLA	Number of PLAs	% of Total PLAs Reviewed
7 to 9	18	10%
4 to 6	73	39%
1 to 3	88	48%
0	6	3%
TOTAL PLAs Reviewed	**185**	**100%**

Among some of the most comprehensive PLAs/CWAs is the San Diego Unified School District, which states the following goals as part of its work opportunity program:

> ***"Section 22.1*** *Work Opportunity Programs. The Parties to this Agreement support the development of increased numbers of skilled construction workers from among residents of the District and San Diego County to meet the labor needs of covered projects specifically and the requirements of the local construction industry generally. Towards that end the Parties agree to cooperate respecting the establishment of a work opportunities program for District residents, the primary goals of which shall be to maximize (1) construction work opportunities for County residents, and (2) business opportunities for traditionally underrepresented members of the community, minority and women-owned business, and disabled veteran owned businesses in the construction industry, the latter goal being consistent with the Government Code requirement that the public agencies promote and encourage the use of these organization on public projects.*

The same agreement provides for a pre-apprenticeship program, and Outreach Task Force comprised of community representatives from underserved sectors of the community to engage in recruitment and monitoring efforts.

As mentioned elsewhere in this report, even though PLAs/CWAs may not include the full range of community workforce provisions, they can still address the employment and training needs of all or most of the target categories because the relevant populations often overlap. As the economically disadvantaged and minorities constitute the majority of the local resident population, their specific needs would be addressed by the local hire goals of the PLA/CWA. Additionally, many of the agreements establish mechanisms such as direct access for graduates of pre-apprenticeship programs, which are geared to promote entry of target populations into registered apprenticeship programs. For instance, the Los Angeles Unified School District PLA does not include a specific goal for at-risk workers, but it has a 50 percent local hiring goal and utilizes a pre-apprenticeship program (We Build), which targets the local area's at-risk populations.[5] This is similar to the case of a number of PLAs signed by the

[5] UCLA Labor Center.

Building and Construction Trades council of Greater New York (profiled in this report) that implemented provisions for a direct access system for apprentices from low-income communities.

The profile of community workforce provisions presented in this section of the report is not an attempt to classify PLAs by the type of community workforce provisions they include, but rather it is an effort to gauge the extent to which these provisions have been adopted over the last 15 years, and to provide examples of language that illustrate the importance of other specific characteristics influencing the effectiveness of the community workforce provisions. Such characteristics involve distinctions between goals and requirements for employment targets, specific ratios as opposed to general language, required percent of total hours worked to account for the retention of targeted populations in the construction projects, and clearly outlined monitoring processes.

1. Hiring of Local Residents

Contract language requiring employment of residents from the local communities, commonly known as local hire provisions, can be defined as minimum requirements that must be met or as goals that might be achieved or exceeded. For instance, the Los Angeles Department of Public Works PLAs set local hire goals, not requirements. Nonetheless, local workers in this case completed a substantial amount of the work. [6]

The definition of the local workforce is determined by the relevant geographic area specified in the agreements. The local areas can range from broadly-defined geographies such as counties, municipalities or school districts, to specific zip code zones. For example, the Long Beach Port PLA offers a general definition: "Local Resident means an individual whose primary place of residence is within the Counties of Los Angeles or Orange." While the Los Angeles Community College District CWA sets goals for residents within specific zip codes or within the community college district.[7]

Previous studies found that defining local hiring goals as a percentage of total hours worked, as opposed to a percentage of the total workforce, is key for assessing the retention of local residents through the duration of the covered construction project.[8] Agreements that include local hire provisions specifying the percent of total hours that must be performed by community residents have proven to be more effective to promote retention than agreements that include provisions for local hire ratios based only on the total workforce. Specifying the percent of total hours can help ensure that local workers will stay employed in the projects for longer periods. For example, local hires on the Los Angeles Unified School District PLA represented 38 percent of the total workforce and completed 41 percent of project hours worked, which indicated that these workers remained employed in the project for a significant amount of time.

[6] PWF – P.27, Constructing Buildings and Building Careers, August 2010.
[7] PWF – 2010, p. 12.
[8] UCLA Labor Center; PWF

Having provisions about the number of hours worked is important because construction employment is intermittent and life-time careers require employment (and employable skills and credentials) that transcend any single project, even a long-term one. At the same time, long-term projects are important for community workforce provisions because they provide opportunities for apprentices to work for a protracted period of time and thus accrue a sufficient number of annual hours of On the Job Training to progress to the next successive year of their apprenticeship.

Table 11: PLAs by Type of Local Hire Provision

	Number of PLAs	%
Provisions without specified ratios	42	60%
Ratios of 50 to 80% of workforce	15	21%
Ratios of 25 to 40% of workforce	9	13%
Ratios of 20 to 50% of work hours	4	6%
Total PLAs with Local Hire Provisions	**70**	**100%**

2. Disadvantaged and at-risk workers

Of the 185 PLAs reviewed, 45 contained provisions specifying goals or systems to train and employ workers from economically disadvantaged and at-risk populations such as the homeless, ex-offenders, and others. The provisions ranged from a general reference about employment and training opportunities for disadvantaged members of the communities, to detailed definitions of the targeted population by income level, place of residency (e.g. school district, zip code) and other characteristics. As an example, the Long Beach Port PLA states the following conditions:

> *"1.16 'Disadvantaged Worker' means an individual whose primary place of residence is within the Counties of Los Angeles and Orange and who, prior to commencing work on the Project, either (a) has a household income of less than 50% of the AMI"* [area median income] *"or (b) faces a least one of the following barriers to employment: being homeless; being a custodial single parent; receiving public assistance; lacking a GED or high school diploma; or suffering from chronic unemployment."*

Eight of the agreements provided for specific ratios of total workforce that disadvantaged workers should represent and/or percent of total hours that they should work. The other 37 PLAs did not contain specific employment levels or ratios for these targeted categories, but included provisions that committed unions and contractors to recruit individuals from these populations and/or established mechanisms to achieve this. Examples of such provisions include the following, which were extracted from a California agreement:

> *"The Unions will cooperate with the District's Outreach Task Force, a committee of community representatives to include those from traditionally underrepresented*

segments of the community, whose task is to achieve the inclusion of historically disadvantaged business and individuals in the construction and employment opportunities created by this Project."

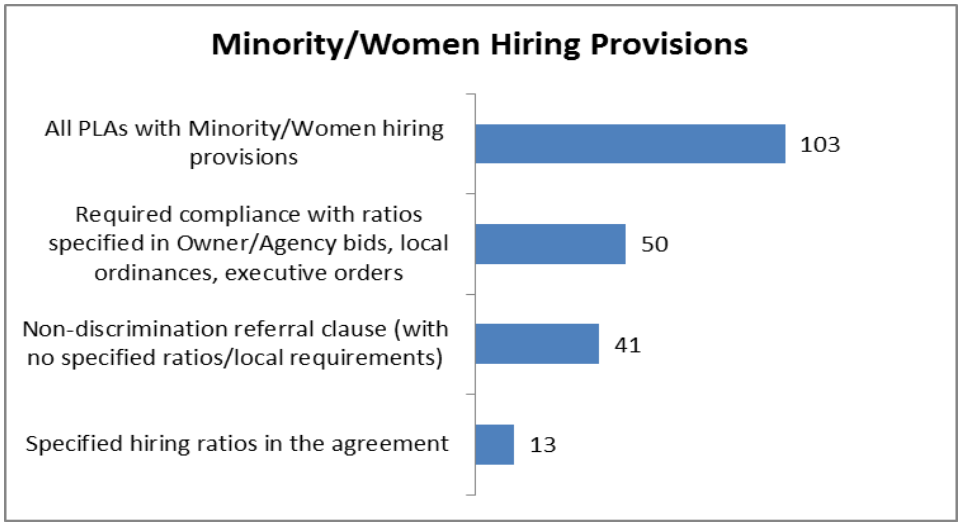
"The Unions will provide accurate data to the committee pertaining to their level of economic support provided to meet these goals, numbers of minorities and traditionally disadvantaged business and individuals employed on the Project and other data as requested by the Program."

3. Minorities and women referral and hiring

Most PLAs currently contain language that requires a non-discriminatory job referral process and full compliance with federal, state and local laws about equal employment opportunities for women and minorities. Among the PLAs reviewed, 103 agreements included minority/women hiring provisions ranging from a standard non-discrimination clause to specified employment ratios by gender and racial and ethnic group. This study identified three PLAs requiring preferential training and employment of Native Americans. One such agreement is a New Mexico PLA, which is governed by Navajo tribal laws, including the Navajo Preference Employment Act (designed to increase the participation of Navajo peoples in the construction industry).

As shown on the graph below, 13 PLAs provided for hiring ratios that ranged from an overall 9 to 30% minority workforce, or specific ratios ranging from 15 to 20% for minorities and from 5 to 6.9% for women. In some cases, it is specified that the ratios apply to the total number of work hours, as opposed to the total project workforce. Fifty of the PLAs required compliance with ratios specified in the owner, agency, or authority's bid provisions, including requirements established by local ordinances, executive orders, and memorandums of understanding. Most of the PLAs indicated that if unions failed to refer minority or women applicants in the percentages required by the bid specifications, the contractor may employ qualified minority or female applicants from any other available source.

Forty-one of the 103 agreements included a clause or article requiring a non-discriminatory referral process in compliance with equal employment opportunity laws, but provided no specific goals or targets tied to local requirements or regulations. However, because of the possible overlap between minority/women employment goals and the local hire and apprentice utilization goals, many PLAs addressed minority/women hiring needs through local-hire and apprentice requirements. This is the case because as mentioned above, women and minorities often constitute the majority of the local resident population.



4. Apprentice and Pre-Apprenticeship Utilization Requirements

Most PLAs include apprentice utilization requirements, generally with the expressed purpose of supporting "programs designed to develop adequate numbers of competent workers in the construction industry," as stated in standard clauses contained in the agreements. However, when further specified, this provision can be a key tool for CWAs to provide employment and career path opportunities for local residents, minorities, and disadvantaged groups. By specifying the percent of apprentices that should be local residents, women, or members of minorities, the CWAs provide a vehicle for communities to access needed training and employment opportunities. The table below shows the types of provisions related to apprentice utilization that were identified in the 185 PLAs reviewed under this study. Eight PLAs specified ratios as percent of total hours, which - as indicated elsewhere in this report - is a key factor for promoting workforce retention in the construction industry projects. Fifty-five of the PLAs applied ratios required by the state and federal codes, as well as by the CBAs.

Table 12: PLAs with Apprentice Utilization Requirements

Apprentice utilization requirements	# of PLAs (out of 185)
15 to 20% of total hours	8
20 to 40% of workforce	18
20 to 33.3% of workforce by craft	16
Ratios set by state, federal laws, and CBAs	55
Other	3
Total PLAs with Apprentice Utilization Provisions	100

The table below shows the number of PLAs that provided specific percentages of employed apprentices that should be women, minorities or economically disadvantaged individuals, as well as local residents. Ratios required for local residents ranged from 20 to 100 percent of apprentices. For example, the Port of Oakland CWA (MAPLA) set goals for 100 percent of apprentices' hours worked by residents of the

Local Impact Area (LIA). But, it also provided flexibility for hiring from the Local Business Area (LBA) if local residents from LIA were not available; and provided that contractors receive credits of up to 50 percent of this utilization requirement for off-site employment of LIA apprentices.

Table 13: PLAs with Apprentice Utilization Provisions

Key Provisions	# of PLAs (out of 185)
Percent of Employed Apprentices that should be Minority, Women, or Economically Disadvantaged	14
Percent of Employed Apprentices that should be Local Residents	11
Total # of PLAs containing % requirements for Employed Apprentices	25

Pre-Apprenticeship Programs and Registered (Skilled) Apprenticeship Programs

Pre-apprenticeship programs are designed for individuals with little or no construction work experience, to provide them with the basic skills needed to enter registered apprenticeship programs. As opposed to the specialized or registered apprenticeship programs, which train in a particular skilled trade (e.g. electrician, carpenter, etc.), pre-apprenticeship programs provide training in areas such as construction math, workplace safety, and academic skills needed to obtain a GED or High School Diploma.[9] The relationship between pre-apprenticeship programs and construction unions varies. Some are closely related to unions or councils such as "Construction Skills – The Edward J. Malloy Initiative" in New York, the New York City District Council of Carpenters' Building Works program, "We Build" in Los Angeles (sponsored by a partnership of unions and the school district); others are based in vocational high schools (Max Hayes in Cleveland, OH), and community-based organizations.

Registered apprenticeships programs providing training in skilled trades are operated by union-management partnerships, employer associations, or government entities. These programs require generally six years of training and offer apprentices the opportunity to work while learning. However, due to the complexity of the construction industry and its segmented labor markets, registered apprenticeship training is not always easily accessible to women, minorities and low income workers in general. The key role that pre-apprenticeship programs play is to bridge these populations to the registered apprenticeship programs. Existing research has found that pre-apprenticeship programs have been successful in recruiting women and people of color, and providing them with an entry point to the skilled construction trades.[10] This is particularly the case when they offer a comprehensive set of training and support systems, and when they have strong connections with unions' skilled trades apprentice programs.

[9] Rubin and Slater, "Winning Construction Jobs for Local Residents," 2005; Conway, M, Gerber, A, Helmer, M, "Construction Pre-Apprenticeship Programs, Interviews with Field Leaders," The Aspen Institute and Workforce Strategies Initiative, Summer 2010.
[10] Owens-Wilson, S., 2010; UCLA Labor Center, 2010.

Results from the survey of Building Trades Councils conducted under this study revealed that 24 councils, which represented 50 percent of all survey respondents, reported the presence of pre-apprenticeship programs that receive sponsorship or other type of support from unions in their jurisdictions. The content analysis of the 185 PLAs reviewed under this study identified 48 agreements containing various types of provisions related to the utilization of pre-apprenticeship programs, and establishing processes to promote entry of minorities, women, and local residents into registered apprenticeship programs. Among these 48 PLAs, 8 agreements included language committing the parties to support pre-apprenticeship programs; 26 called for special procedures to be established with government to train and hire minorities and persons who have not previously qualified to enter apprenticeship programs; 11 called for entry opportunities for local residents, women and minorities into registered apprenticeship; and 7 specified enrollment ratios.

For example, a provision from the San Diego Unified School District PLA states:

> Parties agree to *"support a pre-apprenticeship program for District residents, including students, whereby residents will be trained in a pre-apprenticeship skill to enable them to gain employment/training within the signatory Unions or participate in District Training Programs; and… encourage the referral and utilization, to the extent permitted by law and hiring hall practices of qualified District residents as journeymen, apprentices and trainees on Covered Projects and entrance into such qualified apprenticeship and training programs as may be operating by signatory Unions."*

Another example of CWA language related to the utilization of pre-apprenticeships is from the City of Boston PLAs:

> *Persons currently lacking the basic skills and qualifications to enter skilled apprenticeship programs will have the opportunity through such basic training programs as have been established by, or with the cooperation of the Building Trades Unions to obtain the requisite qualifications and be considered for employment. The parties will endeavor to support such programs and employ participants and graduates of such programs."*

5. Implementation and Monitoring Processes

According to existing research and industry experts, the effective implementation of community workforce provisions requires a clearly outlined and transparent process, as well as the monitoring of compliance efforts and measurable outcomes. Through content analysis of the agreements, this study identified a number of systems or processes outlined in PLAs for the implementation of referral and hiring. Some PLAs involved "Job Coordinator" functions often performed by third-party entities; others involved a Labor Management Committee, or an Ad-Hoc Committee involving representatives from the owner, unions, and contractors. And a few involved a Social Justice Committee, which included representatives from the owner, unions, contractors, and community-based organizations.

An example of the job coordinator function is outlined in the Long Beach Port PLA, which states:

> *"'Jobs Coordinator' means an independent third-party individual or entity with whom the Contractor or the Department enters into a contract to facilitate implementation of the Local Hiring Requirements established pursuant to this Policy."*

Outreach in the target communities, for the purpose of identifying candidates for the pre-apprenticeship programs, is a key contributing factor for the effective implementation of hiring goals. CWAs across the country have involved community representatives in committees or task forces devoted to conduct outreach activities. For instance, a New Haven PLA involved a number of local and community organizations including the New Haven Jobs Center, New Haven Commission on Equal Opportunity, the New Haven Hispanic Employment Coordinator, and others; and a Newark PLA involved the New Jersey Institute for Social Justice. A section for the San Diego Unified School District PLA required reporting on the outreach and recruitment activities:

> *"The Unions shall make monthly progress reports to the Program on the number and employment disposition of District applicants who have been contacted, recruited, participated in Programs through their outreach efforts. This report shall identify those individuals from traditionally underrepresented groups."*

In addition to the above findings from the PLAs' content analysis, results from the survey of Building Trades Councils showed that 23 of the 45 respondent councils have been involved in monitoring processes managed by a partnership of unions, contractors, government, and community. Six councils reported having utilized the Job Coordinator function, and only two reported the use of Social Justice Committees for the monitoring process.

Analysis of PLAs/CWAs and the Factors that Influence their Characteristics

This section of the report explores the 185 PLAs in more depth to assess the extent and variability of community workforce provisions across several factors.

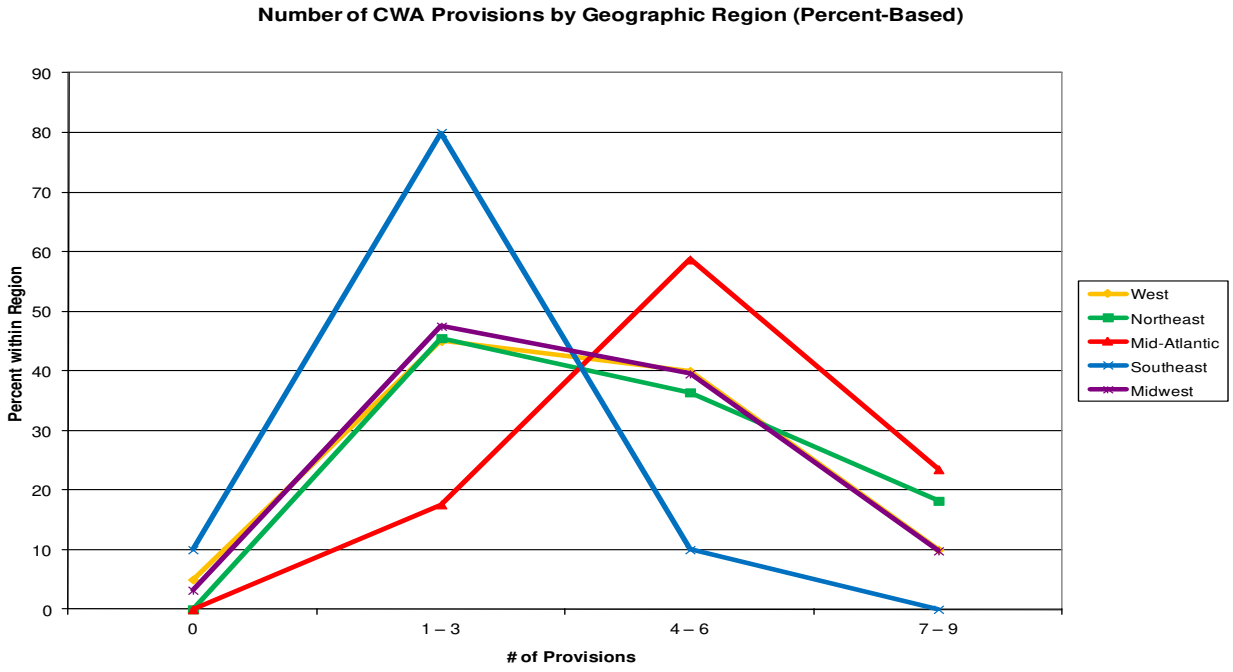
1. Characteristics of PLAs/CWAs: Number and Type of Provisions

Variations in the number and type of provisions were measured according to geographic region, year, and building and construction trades council size. The hypothesis was that characteristics of community workforce provisions are not uniform; that is, they would vary by region and size, and would change over time. To test this hypothesis, the variability of CWAs was analyzed by running a series of crosstabs and by using empirical techniques such as chi-square tests, OLS regressions and logistic regressions. This analysis begins by reporting crosstab data on variability across geography, time, and size.

Variability by Geographic Region

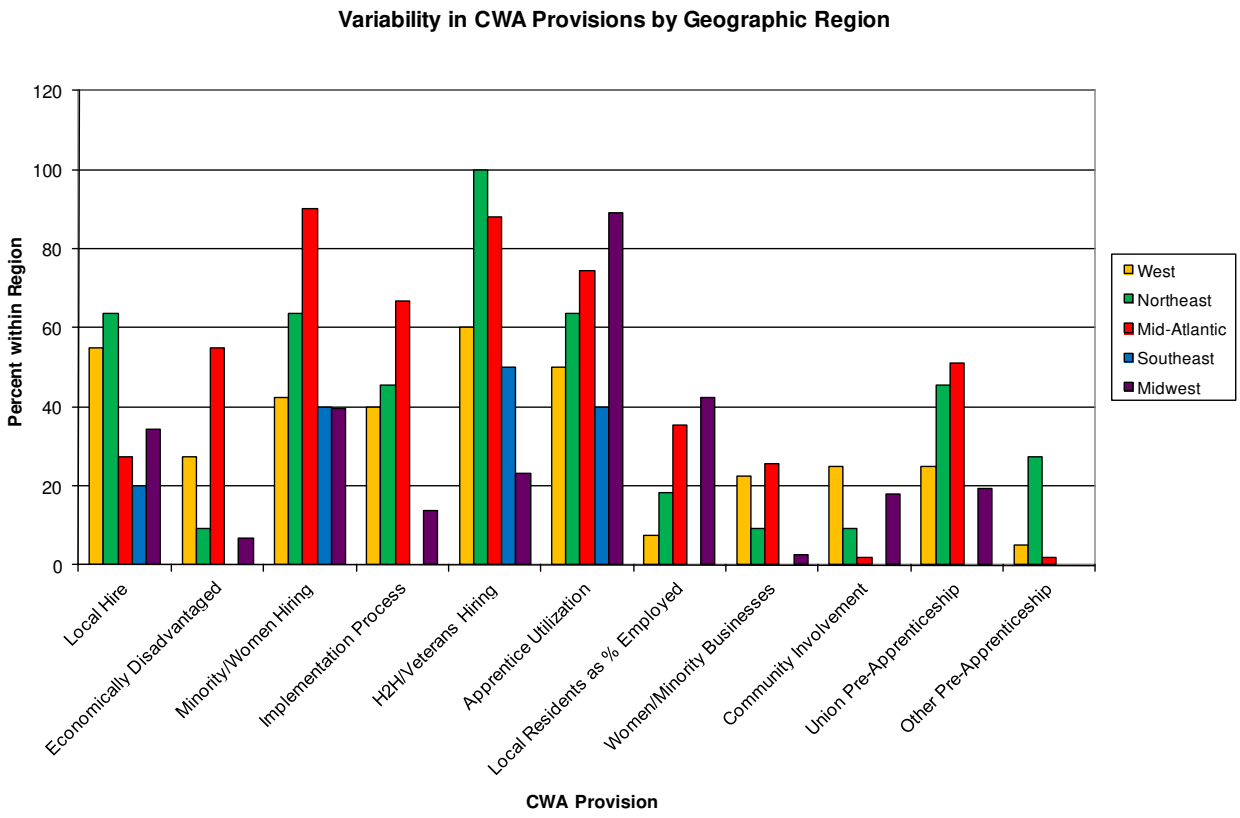
Each of the 185 PLAs listed the state in which the agreement occurred. Based on this information, five broad geographic regions were created: the West, the Northeast, the Mid-Atlantic, the Southeast, and the Midwest. The chart below shows the variability in number of CWA provisions by region. PLAs signed in the mid-Atlantic region were the most likely to have seven to nine CWA provisions (at 23.5 percent of all mid-Atlantic PLAs), whereas those signed in the Southeast were the least likely to have a high number

of CWA provisions (zero percent of PLAs in the Southeast had seven to nine provisions, and only ten percent had four to six provisions). The West, Northeast and Midwest shared similar characteristics; just under half of all PLAs signed in these regions had between one and three CWA provision(s), and about 40 percent of PLAs in these regions had between four and six provisions. These results suggest that the Mid-Atlantic region appeared to be more CWA-friendly than any other region, and that the CWA provisions were least likely to be popular within Southeast PLAs.



Beyond the number of provisions, the extent to which types of CWA provisions varied by geographic region was also measured. Were PLAs signed in California and other Western states more likely to have local hire agreements than those signed in other states, for instance? The chart and table below provide the overall variability by type of CWA provisions within each region, and the top three provisions found in each region.

The results indicate considerable variability in the types of CWA provisions by region. Local hire arrangements were far more predominant in the West and Northeast than elsewhere. Provisions related to the economically disadvantaged and implementation processes were disproportionately found in Mid-Atlantic PLAs, though these PLAs had very few community involvement provisions. In the Midwest, PLAs tended to include substantial amounts of apprentice utilization but only small levels of other provisions. In the Southeast, only local and minority/women hiring provisions, helmets-to-hardhats programs, and apprentice utilization tended to be included in PLAs.



In terms of the top three CWA provisions found most often in PLAs within regions, there was a high level of consistency. H2H provisions were heavily encouraged in all regions except the Midwest, which tended to emphasize the hiring of local residents as a percent of employed apprentices more than other regions. Apprentice utilization was the most consistently documented provision, appearing in the top three for each region; minority/women hiring provisions were also popular, though more in the Midwest, Southeast and Mid-Atlantic than in the West or Northeast.

Table 1: Top Three CWA Provisions by Geographic Region

	Region				
Rank	***West***	***Northeast***	***Mid-Atlantic***	***Southeast***	***Midwest***
1	H2H/Veterans Hiring	H2H/Veterans Hiring	Minority/Women Hiring	H2H/Veterans Hiring	Apprentice Utilization
2	Local Hire	Local Hire (t)	H2H/Veterans Hiring	Minority/Women Hiring (t)	Local Residents as % Employed
3	Apprentice Utilization	Apprentice Utilization (t)	Apprentice Utilization	Apprentice Utilization (t)	Minority/Women Hiring

(t) = tied

Variability by Time

The data gathered under this study also included the year during which the PLA agreement was negotiated. Using this information, a series of time-related variables was constructed, spanning the years of pre-2004, 2005 to 2008, and 2009 to 2010. The results were based on the percentage of CWA provisions within each timeframe's cluster of PLAs to measure effects considerate of the overall number of agreements studied in each time period (this helps to overcome a methodological concern that there were substantially fewer PLAs from the pre-2004 period than from any of the other year ranges). The hypothesis was that there would be an increase in the numbers of CWA provisions found in PLAs over time, and that the types of provisions may be shifting longitudinally as well.

Table 2 assesses the difference in number of provisions by year of PLA. A number of notable differences were found across year ranges. PLAs signed prior to 2004 tended to be most likely to have zero provisions. On the other hand, **none of the PLAs signed between 2009 and 2010 were found to have zero provisions, indicating a clear trend upward over time in terms of the number of PLAs including at least one CWA provision**. Further, just over 50 percent of PLAs signed in 2009-2010 had one to three provisions, and about 40 percent had four to six provisions. These numbers are much higher than the pre-2004 group, wherein only 40 percent had one to three provisions and just above 20 percent had four to six. There was not a great deal of variation between 2005-2008 and 2009-2010 PLAs, except that more PLAs had zero provisions in the 2005-2008 category, and fewer of the 2005-2008 PLAs had one to three provisions (although a larger percentage of 2005-2008 PLAs had four to six provisions than did those signed in 2009-2010). Finally, PLAs having the very highest numbers of provisions (that is, nine) were found only for years 2009 to 2010.[11] **This suggests that not only have CWA provisions become far more common in recent years (as evidenced by the paucity of recent PLAs with zero provisions), but that these agreements are more likely to have the maximum number of provisions now than they were in the past.**

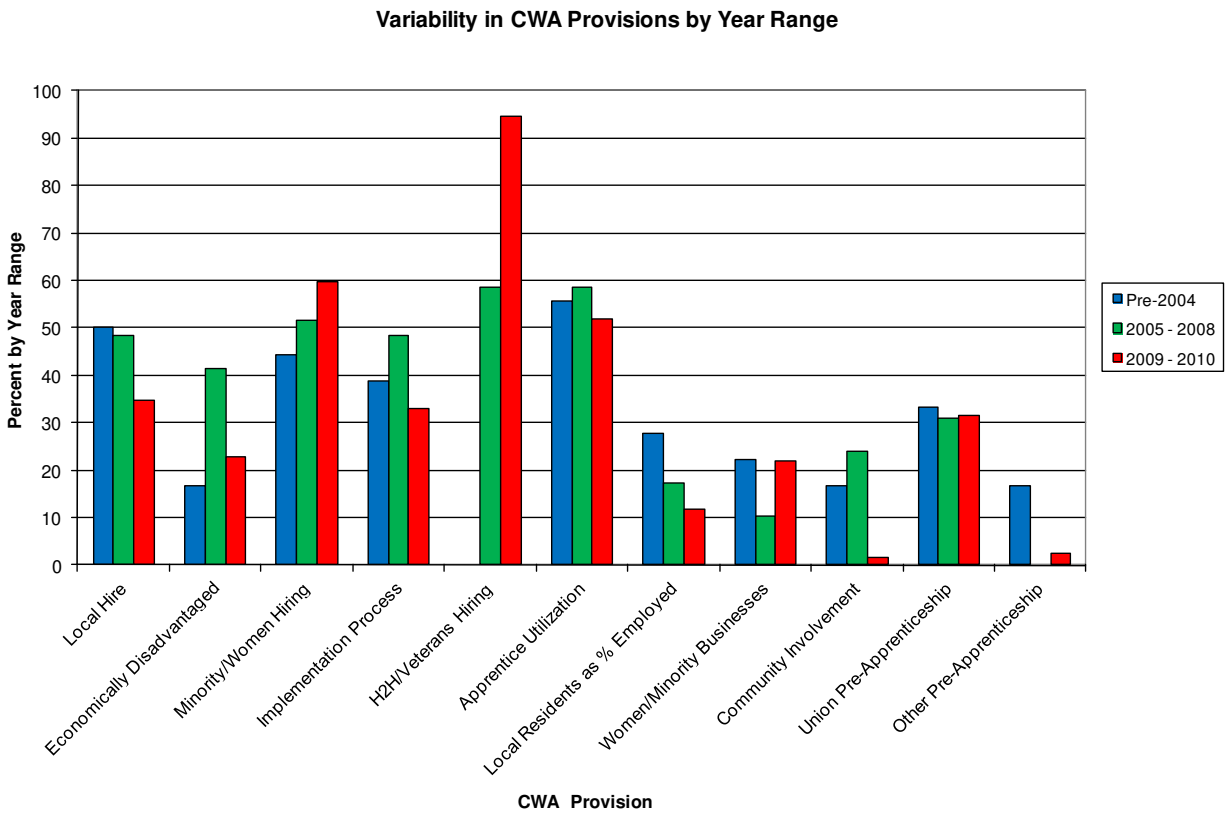
It is worth noting that empirical tests were performed on these data to verify that the difference across years was significant. Pearson chi-square and likelihood ratio tests were used when comparing year categories against both a categorical variable for provisions (grouped into 1-3, 4-6, and 7-9) and also a continuous variable (1 through 9 counted separately). Both cases showed significance at the .01 level, indicating a clear difference in CWA provisions over time.

[11] PLAs signed before 2004 were technically the most likely to have seven to nine provisions, though this is more an artifact of the sample sizes (there were far fewer pre-2004 PLAs included in the sample than those of other time spans) than of an explicit trend. Of the pre-2004 PLAs included in the sample, a small number of them had seven provisions, which substantially raised the percent levels for the largest category amongst this group in reference to the others, though no PLAs from this period had more than seven provisions.

Table 2: Number of CWA Provisions by Year Range (Percent-Based)

# of Provisions	Year Range		
	Pre-2004	*2004 to 2008*	*2009 to 2010*
0	16.7%	7.5%	0.0%
1 to 3	38.9%	40.0%	51.2%
4 to 6	22.0%	45.0%	40.2%
7 to 9	22.0%	7.5%	8.7%
Mean Provisions	3	3	4
Least Provisions	0	0	1
Most Provisions	7	7	9

The variability in the type of CWA provisions by year was also examined, as indicated in the chart below. Again, considerable variation was found in the types of CWA provisions across the years. Notably, helmets to hardhats provisions were far more widespread in PLAs signed in 2009-2010 than in any other years. H2H provisions also follow a clearly progressive trend across years; that is, there were no H2H provisions in PLAs signed before 2004; however, the amount of PLAs with H2H provisions rose to just under 60 percent between 2005 and 2008, and well over 90 percent of PLAs signed in 2009-2010 had these provisions. Similarly, minority/women hiring provisions appear to be on the rise. About 45 percent of pre-2004 PLAs had a minority/women hiring provision, whereas over 50 percent of 2005-2008 PLAs had this provision; the number rose to 60 percent amongst PLAs signed between 2009 and 2010. On the other hand, provisions related to local hires and local residents as a percent of employed apprentices tended to fall over time.



As Table 3 shows, interesting trends were found in terms of the three most popular CWA provisions in each year range. Apprentice utilization was the most popular CWA provision in pre-2004 PLAs, but fell to second place between 2005 and 2008 and dropped to third amongst 2009 to 2010 PLAs. Similarly, local hire provisions fell from second in the pre-2004 PLAs to third in the 2005 to 2008 PLAs, and dropped off the list amongst the most recent agreements. On the other hand, H2H provisions were nowhere to be found amongst the pre-2004 arrangements, but topped the popularity list in both 2005-2008 and 2009-2010. The results indicate that, although there is some consistency in terms of provisions that were popular over all the years included, the relative levels of popularity have changed considerably, particularly in recent times.

Table 3: Top Three CWA Provisions by Year Range

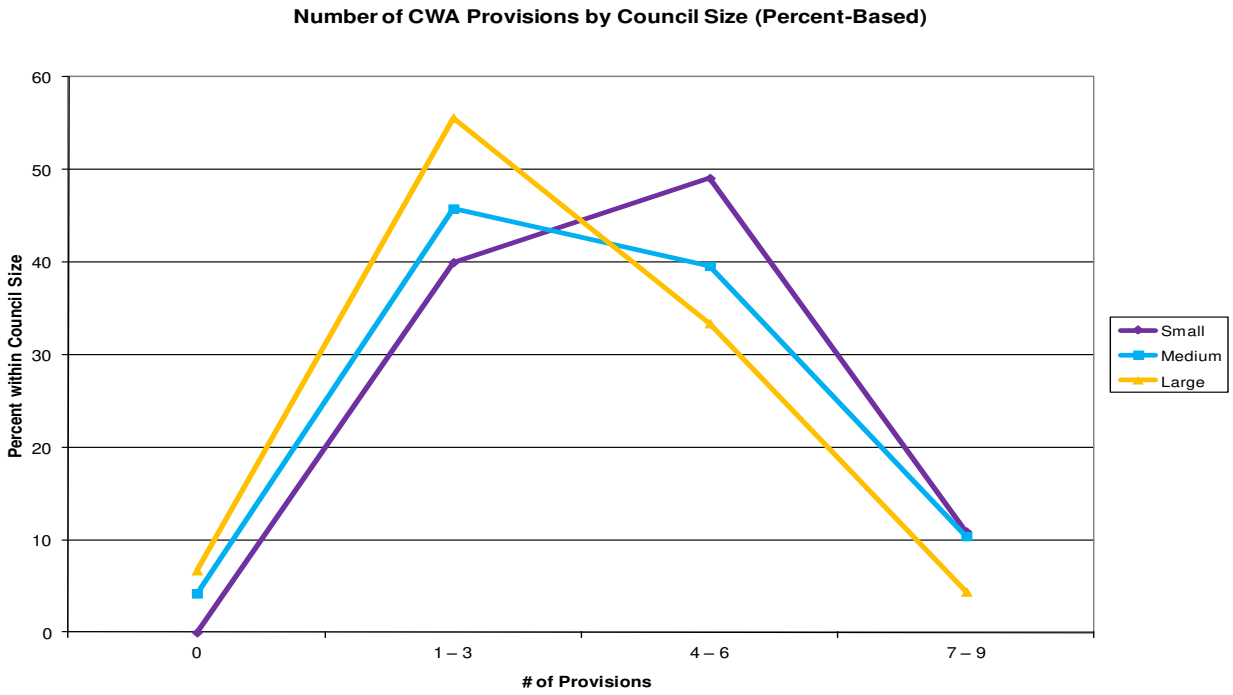
	Year Range		
Rank	***Pre-2004***	***2005 to 2008***	***2009 to 2010***
1	Apprentice Utilization	H2H/Veterans Hiring (t)	H2H/Veterans Hiring
2	Local Hire	Apprentice Utilization (t)	Minority/Women Hiring
3	Minority/Women Hiring	Local Hire	Apprentice Utilization

(t) = tied

Variability by Council Size

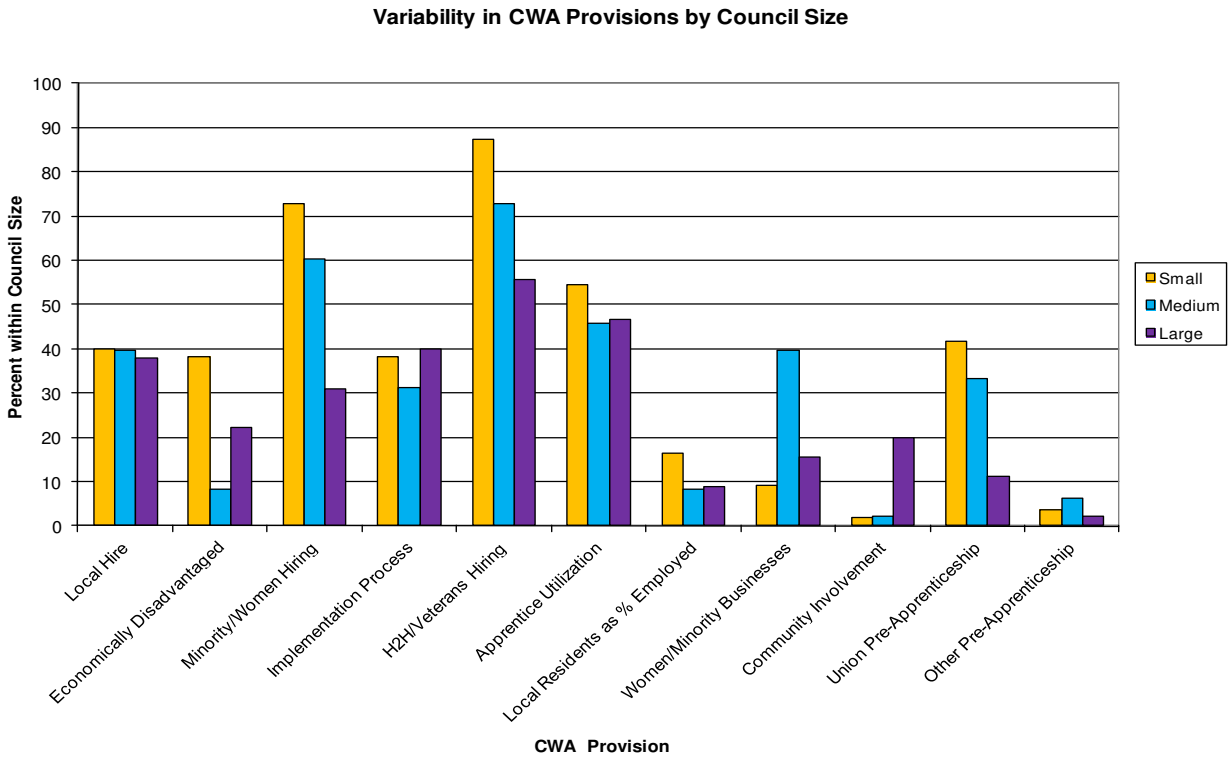
As the PLAs analyzed included the names of the building and construction trades councils (BCTCs) involved in the agreement, it was possible to combine this identifying information with statistics on council receipts to estimate the size of each individual BCTC included in the PLA data, as well as aggregate statewide totals. The BCTCs were classified into three broad categories: small (less than $100,000 in receipts); medium ($100,000 to $500,000 in receipts); and large (greater than $500,000 in receipts) units.

The chart below provides the number of CWA provisions by size of the BCTC. Only small variations were found in numbers of provisions by BCTC size. It appeared that larger BCTCs were slightly less likely to have large numbers of CWA provisions, whereas small councils were most likely to have between four and six provisions. However, there was no strong trend to suggest that size of the council heavily influenced its likelihood to include CWA provisions.



Beyond the number of provisions included in the PLAs, this analysis explored whether the size of the BCTC influenced the types of provisions included. Were small BCTCS more likely to include apprentice utilization, for example? Findings indicate that there was more variation in type of provisions by size than there was in number of provisions. Notably, women/minority hiring provisions were most likely to

be included in small BCTCs, and progressively less likely to be found in PLAs negotiated by larger councils. Although additional survey research is needed to explain this trend, it is possible that, as mentioned in the introduction of this report, the women and minority category is more likely to overlap with other targeted categories in the geographic areas corresponding to large councils. As a result of this overlap, targeted employment of women and minorities is made effective through other type of provisions such as local hire employment or pre-apprenticeship utilization requirements. Over 70 percent of small BCTCs had such a provision, whereas the number fell to 60 percent amongst medium-sized councils, and dropped to only just over 30 percent in agreements negotiated by large councils. On the other hand, where community involvement provisions were included, they were almost entirely connected with large BCTCs. Finally, medium-sized councils tended to favor women/minority/locally-owned business provisions more than any other BCTC sizes.



In terms of overall provision popularity (see Table 4), there was far more consistency. The most popular provision, regardless of size, was H2H/Veterans Hiring. Apprentice utilization was also found in a considerable number of agreements irrespective of size. However, large councils differed slightly in that they negotiated implementation process arrangements more often, whereas small and medium BCTCs tended to favor minority/women hiring provisions. As mentioned above, additional research (survey and field research) would be needed to uncover the underlying factors that explain the patterns summarized in the table below.

Table 4: Top Three CWA Provisions by Council Size

Rank	Council Size *Small*	*Medium*	*Large*
1	H2H/Veterans Hiring	H2H/Veterans Hiring	H2H/Veterans Hiring
2	Minority/Women Hiring	Minority/Women Hiring	Apprentice Utilization
3	Apprentice Utilization	Apprentice Utilization	Implementation Process

2. Estimating the Influence of Geography, Time Period and Council Size on CWA Provisions

Although the information described above offers considerable insight into the influences of geographic, longitudinal and size variations on CWA provisions, it is difficult to draw any conclusions with regards to the significance of the results. In order to attempt to measure the extent to which variability in these factors shapes CWA provisions, empirical analysis is needed. For this purpose, two separate analyses were run; one measures the factors influential on the total number of provisions found in any given PLA. That is, to what extent do size, region, etc. influence the movement from zero to nine CWA provisions across all analyzed PLAs? Which factor is most influential in explaining the increase in CWA provisions? The second empirical method uses logistic regressions to test whether certain factors increase or decrease the odds of having a high number of CWA provisions (that is, four or more) in any PLA. Using logistic regressions, it is possible to estimate the extent to which any given factor will raise or lower odds of a PLA having this characteristic.

OLS Regressions

The first quantitative analysis involves a series of OLS regressions to test which factors help shape whether a PLA will have an increasing number of CWA provisions. This analysis involved four additive models; the first included only geographic region. The second added in longitudinal information; here an additional category was added from the analysis performed above, separating year groups into pre-2000, 2000 to 2004, 2005 to 2008 and 2009 to 2010.[12] The third model included region and year, and added in a control for whether the agreement was public or private. Finally, the last (full) model included all the preceding variables and also the BCTC size. Categories were generally coded in the same manner found above.

Table 5 provides the OLS regression results for models 1 through 4. The overall models fit the data quite well. The final model, inclusive of all the variables, had an r-square of .358, which is quite high

[12] The longitudinal analysis was expanded in order to explore whether CWA provision change over time could be more precisely predicted by adding in additional categories. On the one hand, this allowed tests of change over time in more depth. On the other hand, the small N values in the early-year categories may present a methodological issue in that their high standard errors will make them more apt to appear non-significant, particularly when compared against a continuous dependent variable.

considering that it was not possible to account for several potentially important exogenous factors. Additionally, a significant ($p<.01$) F value was found across all four models.

When including geographic region alone, it was found that the area of the country in which the PLA was signed was highly influential on the number of CWA provisions. Using the Mid-Atlantic region as the reference point, the regression analysis indicated that PLAs signed in the West, Southeast, and Midwest were all significantly ($p<.01$) less likely to have higher numbers of CWA provisions. The Southeast, in particular, was the least likely to have these provisions. Only agreements signed in the Northeast were statistically insignificant when compared to those found in the Mid-Atlantic in terms of numbers of CWA provisions. These results held up even when controlling for year, size, and public or private agreement, and generally mirror the outcomes reported for the descriptive statistics shown above.

When adding the year variables into the regression analysis, the model changed slightly, with a small r-square increase, but no significant independent variables were found (as indicated in footnote 3, this may be more an artifact of N value issues measured against a continuous dependent variable as opposed to suggestive that CWA provisions did not change over time, given what is known from the data analysis presented above). When looking at whether the agreement was private or public, it was found that this variable significantly influenced the likelihood of finding increasing numbers of CWA provisions, with public PLAs far more likely to have higher numbers of provisions.

Table 5: OLS Regressions for Number of CWA Provisions

Variable	Model 1	Model 2	Model 3	Model 4
	Coefficient (Std. Error)	Coefficient (Std. Error)	Coefficient (Std. Error)	Coefficient (Std. Error)
GEOGRAPHIC REGION (Ref. = Mid-Atlantic)				
West	-1.414*** (.500)	-1.414** (.548)	-1.378*** (.507)	-1.225** (.515)
Northeast	-.854 (.727)	-1.457 (1.161)	-.765 (1.085)	-.941 (1.114)
Southeast	-3.680*** (.802)	-3.664*** (.844)	-2.770*** (.807)	-2.720*** (.827)
Midwest	-1.990*** (.462)	-1.977*** (.467)	-1.674*** (.438)	-1.600*** (.439)
YEAR RANGE (Ref. = 2009-2010)				
Pre-2000	---	.727 (1.114)	.823 (1.030)	.937 (1.038)
2000 to 2004	---	-.435 (.681)	-.052 (.635)	.180 (.651)
2005 to 2008	---	.145 (.637)	.014 (.589)	.277 (.615)
PUBLIC V. PRIVATE (Ref. = Public)				
Private	---	---	-1.758*** (.402)	-1.673*** (.408)
COUNCIL SIZE (Ref. = Large)				
Small	---	---	---	.714 (.467)
Medium	---	---	---	.256 (.457)
CONSTANT	4.966*** (.354)	4.971*** (.361)	6.966*** (.565)	6.404*** (.710)
R-square	.216	.223	.342	.358
F-value change	7.571***	.335	19.133***	1.263

N = 115 (missing cases deleted list wise)
Dependent variable: Number of CWA provisions (zero to nine)
*** = Sig. at the .01 level' ** = Sig. at the .05 level' * = Sig. at the .10 level

Logistic Regressions

The second regression analysis considered whether there were factors that influenced an individual PLA's likelihood of having four or more different CWA provisions.[13] It was found that geographic region influenced a PLA's likelihood of having four or more CWA provisions. Compared to the mid-Atlantic reference point, PLAs signed in the West were 86.5 percent less likely ($p<.01$) to have four or more CWA provisions, and those signed in the Midwest were 79.9 percent less likely ($p<.05$). This result is somewhat surprising, given that many of the first CWA provisions originated in southern California. The results suggest that, although California does many PLAs with CWA provisions on the whole, any individual PLA signed in California (or elsewhere in the West) is less likely to include several provisions in it than those found in the mid-Atlantic region (New York, New Jersey, Pennsylvania, etc.). Equally, those signed in Ohio, Illinois and other Midwest states are not as likely to carry within them a higher number of CWA provisions than those signed in the Mid-Atlantic. Although the Southeast does not appear to vary in its likelihood in shaping PLAs with high numbers of CWA provisions, these results are probably a consequence of fewer PLAs in southeastern states, rather than anything statistically meaningful.

When examining the effects of year groupings on having four or more provisions, there was quite an interesting result. There appeared to be no difference between the 2009-2010 reference category and those signed before 2000 or between 2000 and 2004 in terms of having more than three CWA provisions. However, PLAs signed between 2005 and 2008 were almost ten times as likely ($p<.05$) to have four or more provisions as those signed between 2009 and 2010. This result swims reasonably well with the data analysis presented above regarding year ranges. Where there were major differences among recent (2009-2010) PLAs and those from years past, they tended to occur in moving from zero provisions to 1-3 provisions (that is, many more PLAs in recent years had between one and three provisions, whereas no recent PLAs had zero). There was less variability beyond the 1-3 level, except that several PLAs signed between 2009 and 2010 had the maximum number of CWA provisions (nine), whereas this maximum number was not found in any years previously, and more PLAs signed in 2005-2008 had between 4 and 6 provisions than those signed in any other years (this result in particular is likely causing the significant relationship between year and having more than four provisions).

Finally, an effect was also found when considering the size of the BCTCs. Controlling for other factors (geography, year, public or private status), small BCTCs were over three times more likely ($p<.10$) to negotiate PLAs with four or more CWA provisions in them than were medium or large councils.

[13] For this, logistic regressions with a dichotomous dependent variable were used (documented in Table 6). The results of this analysis show that, like with the OLS results, the data fit the model well, easily passing the chi-square and Hosmer and Lemeshow goodness of fit tests for model significance and garnering a Nagelkerke r-squared result of .403.

Table 6: Logistic Regressions for Four or More CWA Provisions

Variable	Coefficient (Std. Error)	Odds Ratio
GEOGRAPHIC REGION (Ref. = Mid-Atlantic)		
West	-2.000*** (.743)	.135
Northeast	-1.331 (1.698)	.264
Southeast	-22.104 (14469.553)	.000
Midwest	-1.554** (.613)	.211
YEAR RANGE (Ref. = 2009-2010)		
Pre-2000	1.102 (1.580)	3.011
2000 to 2004	1.246 (.929)	3.476
2005 to 2008	2.266** (.951)	9.641
PUBLIC V. PRIVATE (Ref. = Public)		
Private	-1.556*** (.576)	.211
COUNCIL SIZE (Ref. = Large)		
Small	1.140* (.658)	3.126
Medium	.176 (.641)	1.193
CONSTANT	2.535** (1.023)	12.616
Nagelkerke R-square	.403	
Chi-square	41.409***	

N = 115 (missing cases deleted list wise)
*** = Sig. at the .01 level' ** = Sig. at the .05 level' * = Sig. at the .10 level

Implications of Variability Analysis

The empirical results, coupled with the descriptive information presented earlier, offer a series of implications to consider. The first is that there are indeed variations between CWA provisions and geographic region, year of PLA, and council size. These variations do not manifest themselves in uniform ways; some shape the types of CWA provisions negotiated into contracts, while others alter the number of provisions, or whether PLAs have very large total numbers of provisions or not.

The results are not without their limitations. The N values were not particularly high in some instances, especially when considering geographic region (where there were very few from the Southeast) and year (where older PLAs were less prevalent than more recent PLAs). Having a larger sample might have revealed a more nuanced picture than that shown here, and may have contributed to demonstrating significant differences that are currently shown to be non-significant.

A second limitation is that it was possible to account for only geography, size, public or private status, and year. There may be unobserved characteristics that substantially influence the odds of having certain types or total numbers of CWA provisions within any given PLA. Ideally, the analysis would have controlled for more factors (e.g. size of projects). However, the models utilized for this study were quite robust as they stood, with high r-square values and good overall fit.

Acknowledging the limitations of the study, it can be concluded that there is certainly evidence that CWA provisions are not uniform within the universe of PLAs; they are influenced by region (where, for instance, local hire arrangements are more common in the northeast), by time (for example, where recent PLAs are more likely to have at least one CWA provisions than at any other point in time, and are more likely to have the maximum number of provisions than in earlier years) and by size (for instance, where smaller BCTCs were far more likely to negotiate high numbers of provisions into their agreements). These variations help to more comprehensively understand the terrain under which CWA provisions operate, and are of particular use given the paucity of research into these agreements on the whole.

3. Comparing Survey Results to PLA Content Analysis

As mentioned above, this research collected 45 individual responses from Building and Construction Trades Councils (BCTCs) wherein they discussed their inclusion of CWA provisions when establishing PLA agreements. The survey results were compared with the findings from the content analysis of the PLAs to analyze the extent to which the study outcomes could be considered representative.

All comparisons performed on the two datasets suggested that those who responded to the survey and those who were randomly selected for content analysis shared a number of characteristics in terms of the numbers and types of CWA provisions included in the PLAs. Perhaps most critically, as Table 7 shows, the mean, median, minimum, and maximum numbers of provisions were broadly similar between survey respondents and the PLAs chosen for content analysis.[14] This is particularly important in that it suggests a lack of response bias amongst the survey respondents. In other words, BCTCs that had a high number of CWA provisions did not appear more likely to complete the survey than those without a large number of provisions. This finding supports the notion that the survey data did not suffer from methodological issues when compared with the content analysis.

[14] Although the mean, median and maximum number of provisions are actually lower amongst the survey respondents, this is likely explained by the fact that there was a slightly smaller number of overall provisions included in the survey questions when compared with the content analysis.

It is important also to note that the PLA content analysis was itself methodologically sound. The 185 PLAs chosen for content analysis were selected essentially at random from the universe of available PLAs; the only criterion that influenced selection was a slight effort to ensure geographic spread, so that no one region dominated the results. As such, the PLAs chosen for content analysis can be considered broadly representative of all agreed PLAs. Given the structural similarities between the survey results and the PLA analysis, it can be concluded that the survey findings are quite representative as well.

Table 7: Comparison of Number of Provisions by Survey Responses and PLA Content Analysis

	Survey Responses	PLA Content Analysis
Mean	2.53	4.0
Median	2.00	3.0
Minimum	0	0
Maximum	7	9

Further comparisons of the survey results to the PLA content analysis support the above assertions. As Table 8 demonstrates, almost three-quarters of the survey respondents were either the same councils found within the content analysis (35.6 percent) or different councils, but from the same state (37.8 percent). Only 26.7 percent of survey respondents were neither the same BCTC nor from the same state as those used in the content analysis. This further supports the argument that the councils responding to the survey were ostensibly similar to the randomly assigned group used in the content analysis.

Table 8: Variation in BCTC Responses by Survey Responses and PLA Content Analysis

	Different States	Same States
Different BCTCs	26.7%	37.8%
Same BCTCs	---	35.6%

However, there are some notable differences between those councils that responded to the survey and those whose PLA information was selected at random. For one, there is a slight geographic difference, whereby BCTCs from certain states were present within the surveys but not within the larger content analysis; and on the other hand, councils from other states appeared a number of times in the content analysis, but were not found amongst the 45 survey respondents. This slight variation may help explain the results found in Table 9, which shows the percent of BCTCs with various CWA provisions, separated by survey and PLA content analysis. Though many of the results are either identical or very close between the two sets of responses (local hires, economically disadvantaged provisions, apprentice utilization, and local residents as a percent of employed apprentices) there is some variation in terms of

minority/women hiring and minority/women business ownership.[15] These differences might be explained by the fact that just over a quarter of respondents between the two methods shared neither state nor council similarities; this would suggest that there is a small amount of skew in the results for minority/women hiring and business ownership provisions, depending on the sample considered. Amongst the remainder of the provisions, however, the results from the survey and the findings from the content analysis can be considered largely interchangeable, and likely representative of a wider universe of building trades councils.

Table 9: Percent of Building Trades Councils with various CWA provisions – Comparison between Survey Responses and PLA Content Analysis

CWA Provision	Percent of BCTCs within Survey	Percent of BCTCs within PLA analysis
Local Hire	48.9	37.8
Economically Disadvantaged/At Risk	24.4	24.3
Minority/Women Hiring	28.9	55.7
Apprentice Utilization	62.2	54.1
Local Residents as % of Employed Apprentices	17.8	13.5
Women/Minority Businesses	40.0	19.5
Other	15.6	3.2

Note: Implementation process, community involvement, H2H/Veterans Hiring, and union pre-apprentice program provisions could not be equivalently matched between the two data sources and are excluded from this table.

Case Profiles

Cleveland University Hospital-Cleveland BCTC PLA

In 2007, the Cleveland Building and Construction Trades Council (Cleveland BCTC) negotiated a PLA with the Cleveland University Hospital (UH) to perform construction work under a $1 billion plan covering nine construction and expansion projects. The projects created more than 5,200 construction jobs and generated more than $500 million in wages and benefits.

The Cleveland BCTC and its affiliates represent about 11,000 members in this market. The Council has done well over $3 billion worth of PLAs, including public and private sector projects. The Cleveland BCTC is part of a labor-management coalition known as the Union Construction Industry Partnership (UCIP), which involves 1,200 contractors in the Cleveland metropolitan area. The UCIP's Apprenticeship Skill Achievement Program (ASAP) is a pre-apprenticeship program that recruits women, minorities, and

[15] Note that some provisions, such as H2H/Veterans Hiring, community involvement, and union pre-apprentice provisions were not functionally equivalent across the two samples, and thus could not be compared; these have been excluded from the cross-data comparisons.

economically disadvantaged individuals in the Cleveland metropolitan area and provides them with direct entry into union apprenticeship programs.

Goals

The UH PLA established community workforce goals related to diversity and place of residency, which applied to all construction work performed within the City of Cleveland and that was not otherwise exempt from the terms and conditions of the agreement. Workforce targets were set for the project as a whole, not on a craft-by-craft basis. The City of Cleveland was designated as a third party beneficiary for the purposes of enforcing these goals and provisions, which included the following:

- Twenty percent of the workforce on covered projects located within the city should be City residents.

- Utilization of the Max S. Hayes Vocational High School pre-apprenticeship program: Unions should recognize Max Hayes' curriculum as "classroom time applied to the hourly apprenticeship requirement." This requirement was formalized with a written agreement of cooperation between the Cleveland Municipal School District (CMSD) and the unions. In addition, unions agree to dedicate, on an annual basis, one UCIP/ASAP class to Max Hayes' building trades graduates. Contractors and unions are required to provide jobs to Max Hayes graduates, and UH commits to utilize on covered projects those Max Hayes' graduates who enrolled in the union apprenticeship program.

- Unions shall
    - authorize "city residents eligible for union membership to participate in the covered projects through UCIP/ASAP in all trades;"
    - require that all UCIP/ASAP board members actively promote the placement and retention of City residents in apprenticeship programs;
    - enroll sufficient entry level UCIP/ASAP participants and graduate sufficient graduates to meet UH's requirements, assuming that projected employment levels are achieved;
    - provide the Mayor of the City the right to select one member of the UCIP/ASAP board.

The agreement also contained goals related to the utilization of women- and minority-owned businesses. Thus, contractors were required to "use best efforts to place the highest priority on the creation of contracting opportunities for minority, female, and local-small business enterprises in Northeast Ohio." And UH committed to develop reasonable efforts to award 15% of the combined aggregate value of the project to Minority-Owned Businesses, and 5% to Women-Owned Businesses.

Process

The parties engaged Minority Business Solutions, a for-profit consulting firm, to assist with the outreach to key populations, and with the hiring process. Tripartite meetings, involving the unions, UH management, and City representatives were held monthly to monitor compliance and progress. These meetings were key for identifying problems in early stages and making the needed adjustments. The meetings were also successful in keeping all parties engaged in the process. According to former UH VP for Construction Services Margaret Hewitt, 25 persons would attend the meetings monthly, with City Mayor's office representatives attending most of them. The PLA also enlisted the support of community organizations such as the Urban League, the Greater Cleveland Partnership, and the YWCA.

Outcomes and Success Factors

According to the parties to the agreement, all of the hiring goals and requirements were met and sustained.[16] Key success factors for this PLA were the tripartite monthly meetings, the linkage between the Cleveland BCTC and the School District (including Max Hayes Vocational School) for recruiting high school graduates from the community, and the role of the consulting firm Minority Business Solutions in facilitating the recruitment and hiring process. According to former UH VP Margaret Hewitt, the tripartite meetings were extremely effective for "averting challenges and confronting issues head on."

The implementation of the PLA did face some challenges. One such challenge was the lack of capacity on the part of Max Hayes' pre-apprenticeship program, which produced very low numbers of graduates and could not meet, by itself, the requirements for new apprentices. Nevertheless, this issue was successfully tackled by unions, which proceeded to open the direct entry system to the entire Cleveland Public School District. As a result of this PLA, a formal relationship was established between the Cleveland BCTC and the School District for continuing the recruitment of high school graduates for direct entry into union apprenticeship programs. Another challenge developed because workers and small businesses were moving out of the city, creating additional difficulties for the employers and unions to meet targets. A key lesson from this experience is the flexibility of the parties in adjusting implementation systems such as the process to recruit local high school graduates, for which the Cleveland BCTC extended the unions' direct entry system to the entire High School District to address the low number of graduates referred by the Max Hayes vocational high school. Another key lesson is the need for effective communications among stakeholders such as the tripartite meetings, which were central for developing working relationships and, as mentioned above, for identifying and addressing issues before they developed into major problems.

[16] Interviews with Margaret Hewitt, former VP for Construction at Cleveland University Hospital; Loree Soggs, President of the Cleveland Building and Construction Trades Council; and David Campbell of Vorys, Sater, Seymour and Pease LLP.

Washington, D.C., Nationals Stadium PLA

This PLA was signed in 2007 to cover the $611 million project to build the Washington Nationals ballpark. The agreement involved the D.C. Building and Construction Trades Council, the Mid-Atlantic Regional Council of Carpenters (MARC), the District of Columbia, and the construction manager Clark/Hunt/Smoot (a joint venture). The project was completed in less than two years, on budget, and having achieved or exceeded most of the community workforce goals set in the PLA.

Goals

Community workforce hiring provisions of the PLA included:

- 50 percent of all apprentice hours worked should be performed by D.C. residents.
- 51 percent of all new hires must be D.C. residents.
- Apprentices should perform up to 25% of total hours by craft.
- 100% of all new employed apprentices should be D.C. residents.
- 50 percent of all journey worker hours should be performed by D.C. residents.

The agreement also includes a Helmets-to-Hardhats provision to facilitate the entry into the unionized construction industry for veterans.

Process

A Task Force was created to monitor and enforce the agreement. This group held monthly meetings and was chaired by a prominent religious leader from D.C. The process for referral and hiring of local residents involved a 72-hour turnaround for supplying qualified personnel. The required steps were as follows:

1. When workers were needed, any and all unionized DC residents who worked for any of the contractors on the job were deployed on site to meet requirement levels.
2. If within 24 hours the employer did not get all the DC residents needed, it sent a request to the D.C. Department of Employment Services (DOES), which then had 48 hours to fill the position.
3. If DC DOES failed to fill the positions with DC residents, the request went back to the union hall. The union then supplied union workers through its normal referral process.

Outcomes

Most local hiring goals were met or exceeded, except for the targets for journey worker hours and new apprentices, which fell short of goals by 24 and 15 percent respectively. There was no final report of the Task Force, but by early 2008 the outcomes shown below were reported.

Table 14: DC Nationals Stadium PLA Local Hiring Goals and Outcomes

	Outcomes	Goals
Apprentice hours worked by DC residents	70%	50%
Journey worker hours worked by DC residents	26%	50%
New Hires who should be DC residents	51%	51%
New apprentices who should be DC residents	85%	100%
Total craft hours worked by apprentices	19% (consistent with maximum allowed)	25% (maximum)

Unions were a key factor for the successful completion of the project, as DC DOES was not able to meet the demand for workers in the numbers necessary to meet hiring requirements. "In the end," says DC BCTC's Executive Secretary Treasurer Vance Ayres, "we put more DC residents and created more careers than in any other project in the history of D.C." Workers and community representatives' testimonies before the Economic Development Committee of the D.C. Council in 2009 highlight the success of the Stadium PLA in the implementation of community workforce provisions. Bebre McCrea, a then apprentice with the MARC, testified that she was able to find work at the new stadium, thanks to the PLA, having graduated from a union supported pre-apprenticeship program, the Washington Area Women in the Trades (WAWIT). At this same session of the Committee, Reverend Mathew Reese of the Lee Memorial Baptist Church testified that the Stadium project provided new employment opportunities to local residents, and considered this project to be "a model for future public works."[17]

New York City's Community Workforce Provisions

Under a number of recently completed and on-going project labor agreements, the Building and Construction Trades Council of Greater New York (NY-BCTC) has effectively implemented community workforce provisions established by federal and state laws, and local regulations related to hiring of local workers and minorities. The BCTC of Greater NY consists of local affiliates of 15 national and international unions representing approximately 100,000 unionized workers in the New York metropolitan area.

The local resident and minority hiring goals of the NY-BCTC project labor agreements are set forth in an accompanying Memorandum of Understanding (MOU) signed in November of 2009. This MOU established a direct access system "to promote diversity in apprenticeship training and employment opportunities, as well as contracting" in the construction industry. The direct access system consists of

[17] Council of the District of Columbia, Committee on Economic Development, "Report on the Fiscal Year 2009 Budget."

reserving a percentage of available apprenticeship slots for qualified candidates who are members of targeted hiring categories. It is important to note that the overall workforce (including both unionized and non-unionized workers) in the New York City market is already significantly diverse, with more than 53 percent classified by the Census 2000 as members of non-white ethnic and racial groups. Additionally, previous studies and membership data analyzed by the NY-BCTC reveal that the majority of the unionized construction workforce resides in the five boroughs of New York City (including zip code areas targeted by the MOU) rather than in the suburbs, as it is commonly believed.

Most recent research found that the diversity of the unionized workforce in NYC has likely increased from the 2000 levels, as 63 percent of apprentices who were NYC residents were members of minorities and 10 percent were women.[18] In terms of place of residency, the reports required by the above mentioned MOU have indicated that the enrollment in NYC's union apprenticeship programs is highly representative of local community residents, with nearly 90 percent of apprentices residing in the city's five boroughs in 2010. There are 25 apprenticeship programs registered with the New York State Department of Labor and jointly sponsored by unions and employers.[19]

A key contributing factor to the increased representation of minorities and women among construction union workers in this market, and for the effective implementation of the MOU's community workforce provisions, has been the role of pre-apprenticeship programs that have been created to recruit individuals from these populations and provide them with access to unionized apprenticeship programs. Of particular importance among these programs is The Edward J. Malloy Initiative for Construction Skills (C-Skills), which has focused on recruiting graduates from New York City public high schools and public housing and Section 8 residents.[20] C-Skills was created in 2000 and is sponsored by the NY-BCTC, working in partnership with public agencies, unionized contractors, and City high schools. Since the program's inception, 1,100 New York City residents, 89 percent of whom are members of minorities and 7 percent are women, have enrolled in union apprenticeship programs through C-Skills.[21] Other programs providing key populations with access to union apprenticeship training in New York City include Nontraditional Employment for Women (NEW), and Helmets to Hardhats (H2H). These programs and C-Skills have direct access privileges in the New York City's unionized construction industry.

Goals and Provisions

The PLAs and the accompanying MOU have covered $6 billion of public construction projects, including projects of the City of New York, the School Construction Authority (SCA), and the New York City Housing Authority (NYCHA), creating approximately 30,000 jobs. The MOU established the following apprenticeship goals and targets:

[18] Bertran, N., "Meeting the Challenge of Increasing Diversity in the Unionized Construction Industry: CSKILLS and the Role of Pre-Apprenticeship," May 2011.
[19] NYC Committee on Construction Workforce and Contracting Opportunity – 2010 Annual Report.
[20] Bertran, N. (2011).
[21] Bertran, N. (2011).

- 45 percent of new apprenticeships slots filled by New York City residents shall be comprised of public high school graduates, veterans, women, NYCHA and Section 8 residents and "adults in need of economic opportunity."

- To achieve the above 45 percent goal, joint apprenticeship programs should reserve up to the following percentages of their new apprenticeship slots for direct entry:

    - 10 percent for graduates of public high schools who are graduates of the Construction Skills (C-Skills) program.
    - 10 percent for veterans referred by H2H, "provided, however, that any veterans whose qualifications allow them to enter unions as journey persons shall be counted toward the fulfillment of this percent."
    - 10 percent for women who have completed pre-apprenticeship training NEW.
    - 10 percent for NYCHA and Section 8 residents, and economically disadvantaged adults who have graduated from C-Skills or NEW.
    - 5 percent for qualified employees of certified minority- and women-owned business enterprises and other employers not signatory to CBAs. Those "employees who are qualified to enter unions as journey persons would still be counted toward fulfillment of this percent."

The PLA with the NYC School Construction Authority (SCA) covered $2.5 billion of renovation work as part of the SCA's Capital Improvement and Restructuring Programs of FY 05-09. This PLA increased the ratio of apprentices to journeymen by providing for a minimum 3:1 apprenticeship ratio. Like other NY-BCTC PLAs governed by the MOU, this agreement encourages the utilization of the C-Skills 2000 program "as an appropriate source of apprentice recruitment," and it outlines a process for minority and female referrals.

Monitoring Process

The MOU requires extensive reporting as part of the process to monitor the implementation of community workforce provisions. Implementation reports are required to include data on the following metrics and efforts of the CIP:

- Quarterly listing of total number of NYC residents who were referred to and entered into unions and apprenticeship programs during the prior year through the C-Skills, H2H, and NEW programs.
- Quarterly subtotals of the above numbers of apprentices by union, apprenticeship program, residency (by zip code), race, and gender.
- Total number of apprentices who were NYC residents in each apprenticeship program, total number of new apprentices by apprenticeship program, and subtotals of these numbers by residency (zip code), race, and gender.
- Description of efforts made by the CIP to encourage joint apprenticeship programs to meet targets.

The MOU established the NYC Committee on Construction Work Force and Contracting Opportunity (Construction Committee) to serve as a forum for evaluating success in achieving set goals. The committee is required to meet at least quarterly and publish an annual report on the status of the Work Force and Contracting Opportunity policy. The membership of the committee is as follows:

- Three City government representatives, including the Commissioner of the Department of Small Business Services
- One representative designated by NYCHA
- One representative designated by the president of the School Construction Authority
- Three representatives designated by the NY-BCTC
- Three representatives designated by the Building Trades Employers Association (BTEA), at least one of which shall be a representative of minority and women-owned businesses
- Three representatives from the contractor community designated by the Mayor, at least two of which shall be representatives of minority and women-owned businesses including both union and non-union contractors
- One representative appointed by the Speaker of the City Council
- One representative appointed by the NYC Comptroller

Outcomes and Success Factors

As shown on the table below, first-year results almost double the goal or 45 percent set for newly registered first year apprentices who should be New York City residents. Through joint efforts of pre-apprenticeship programs and unions, 523 NYC residents entered skilled trades' apprenticeship programs in 2010. This represented 88 percent of the total newly registered apprentices in that year. Targets set for women and graduates of public high schools were also exceeded. Results for veterans and NYCHA residents fell short by 7 and 5 percent respectively. Although the MOU did not set goals for race and ethnicity of the new apprentices, it is important to note that 69 percent of the new apprentices who were New York City residents are African American, Hispanic, Asian and members of other minority groups, according to data collected by the New York State Department of Labor. The table below shows results and targets for the first year of the implementation of MOU terms, as well as data on the demographic characteristics and place of residency of all union apprentices in 2010.

Table 15: NYC Apprentice Goals and Outcomes

	First Year Apprentices in 2010	%s	MOU Goals for First Year Apprentices	All Apprentices in 2010	%s
NYC Residents	523	88% of Total	45% of Total	6,518	88% of Total
African-American, Hispanic, Asian and Other	359	69% of NYC Residents	(no goal)	4,114	63% of NYC Residents
Women	59	11% of NYC Residents	10% of NYC Residents	647	10% of NYC Residents
Public High Schools Graduates	68	13% of NYC Residents	10% of NYC Residents	n/a	
Veterans	18	3% of NYC Residents	10% of NYC Residents	n/a	
NYCHA Residents	26	5% of NYC Residents	10% of NYC Residents	n/a	

Source: Construction Industry Partnership, NY-BCTC.

A key lesson that can be drawn from this experience is the need for flexibility in setting certain goals, particularly those related to place of residency. According to Paul Fernandes, Chief of Staff at the NY-BCTC, setting highly detailed targets, such as by zip code might limit rather than expand employment opportunities for union members in a market where the workforce is already significantly diverse as in New York City. Even though construction unions have active apprentices and union members living in NYCHA buildings, the members might prefer to work in construction projects other than the ones covered by the MOU. Granting credits to contractors for off-site employment of target area residents might work better in markets like New York. Another important lesson that reaffirms the experience of CWA implementation in other parts of the country is the key role of pre-apprenticeship programs for recruiting individuals from the target populations and for providing them with direct access to the registered apprenticeship programs.

Conclusions

In similarity with previous studies that examined other elements of project labor agreements, this study found that there is no "one size fits all" for community workforce provisions. The analysis presented in this report revealed significant variations in the characteristics of the PLAs/CWAs indicating that stakeholders approach the crafting and implementation of the agreement in varying ways to fit the specific needs of the communities in which the construction projects take place.

This study also finds that PLAs/CWAs are becoming more comprehensive, including more community workforce provisions during recent years than prior to 2004. This indicates that employment and training opportunities have been provided to an increased number of communities over the last 5 to 6 years.

The experience with the Cleveland, Washington, DC, and New York City PLAs indicate that pre-apprenticeship programs are key contributing factors to successful implementation, and that unions can play an essential role in utilizing their own structures to assist community-based pre-apprenticeship programs when these lack the capacity to meet targets. This was clearly apparent in the cases of the Washington Nationals Stadium and the Cleveland University Hospital PLAs. Flexibility of the stakeholders in adjusting processes is critical for addressing unanticipated challenges. As the New York City PLA's case illustrates, flexibility is also key for formulating goals and targets that fit the characteristics of the construction markets and the specific needs of the communities. For markets with a significantly diverse workforce, detailed targets tied to specific criteria (e.g. residency by zip-code) might limit, rather than expand, employment opportunities for minorities and women. The implementation of off-site credits for contractors who hire target populations in non-covered projects might be helpful for meeting goals in these cases.

The three case examples presented in this report as well as previous studies, demonstrate that the real test of the effectiveness of community workforce provisions is in the implementation. Recognizing the need for further research on outcomes, this study finds that PLAs with community workforce provisions can be effective tools for promoting employment and career paths for communities that have been traditionally underrepresented in this industry.

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