

**Labor & Community Coalition Building in Local Politics:
Lessons from the Portland Community Benefits Campaign**

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Executive Summary

With the labor movement looking to regain its strength after roughly five decades of declining union density, progressive labor leaders have begun to evolve movement strategy looking to aggressively organize in service sector industries and amongst historically excluded communities. Additionally, for the last two decades there has been a new emphasis on local political work, building coalitions with community allies to support economic justice and workforce initiatives. These coalitions likewise function to bring communities of traditionally excluded people into the movement. This study seeks to explore the significance of this coalition-based political work by examining a variety of policy tools including, living wage laws, construction careers policies, and community benefits agreements. This overview will contextualize the case study provided of the current community benefits agreement being advanced in Portland, Oregon by the Metropolitan Alliance for Workforce Equity. This unique policy campaign, backed by historically disparate interests, is representative of the movement fusion occurring nationally, while also combining elements of previously distinct policy tools. Additionally, the Portland case study illuminates both the tremendous capacity for collaborative work between labor unions and community interests, as well as the lasting challenges that these innovative coalitions must overcome.

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Introduction

I was raised in a family with a multi-generational history in the labor movement, beginning with Polish immigrant union organizers in 1930s Detroit. That tradition continues today through my parents. My mother is a public health nurse and active union member with the Oregon Nurses Association and my father, a carpenter by trade, is the project manager of a pre-apprenticeship school that provides alternative high school education and places students in union apprenticeship programs. Living, studying, and working in Los Angeles for the last four years, I have been inspired by the organizations that have built powerful coalitions of organized labor and community allies by bridging traditional divides, where those divides have had a negative impact on the labor movement.

Through my work with organizations such as the Los Angeles Alliance for a New Economy, and the UCLA Labor Center I have experienced first-hand the tremendous capacity to make tangible change for working people in the arena of local policy when the labor movement aligns itself with powerful communities of organized people. For these reasons I jumped at the opportunity to work with the Metropolitan Alliance for Workforce Equity (MAWE) in Portland, a dynamic coalition of community groups, minority and women contractors and labor unions. My experience in Portland would inform my senior comprehensive research project, which describes and analyzes the MAWE efforts. The innovative work happening in Portland builds upon much of the work I have been involved with in Los Angeles, and parallel work happening around the nation.

This study was conceived through participant observation conducted during my work with the Portland chapter of Emerald Cities Collaborative, a coalition partner of MAWE. In addition to my participation in the campaign, my research is based on in depth interviews with coalition partners representing the broad spectrum of coalition interests, as well as with outside academics and practitioners. The study seeks to answer the following research questions: How is organized labor regaining its strength through efforts in local politics based on collaboration with community interests outside of the confines of traditional labor law and strategies? Is the Portland Community Benefits Campaign representative of a national trend towards community coalition building around local policies? What are the strengths of the Portland campaign and what are the challenges for the coalition moving forward?

These questions will be examined by first exploring the internal and external forces behind the decline of the labor movement, and then by introducing general strategies that have shown promise in supporting a revival. The field of community economic development will then be introduced, which has paralleled some of the shifts in the labor movement to better address the political and economic conditions of America's urban core communities. These parallel transformations have helped to reconcile some of the longstanding historical differences between organized labor and community interests, including African Americans in the trades, who have played an especially important role in pressuring trades unions to become more inclusive. Labor unions and community economic development groups are now converging interests in a variety of local economic justice policy campaigns and other political strategies, which will be introduced, including, living wage ordinances, construction career policies, and community benefits agreements.

Community benefits agreements (CBA) in particular have spread as a political strategy supported by community/labor coalitions since the introduction of the first agreements in Los Angeles in the early 2000s. CBAs have since evolved to encompass a variety of unique policy and private agreement models. An example of this evolution is the Portland Community Benefits Campaign supported by the Metropolitan Alliance for Workforce Equity. The case study presented of this campaign will illuminate both the significant capacity for unions and community groups to win victories in the urban policy arena, as well as the challenges related to such coalition based political work.

Background

Transformations in the Labor Movement

The labor movement in the United States reached the height of its power in the mid twentieth century. However, beginning in the 1950s union density began to fall significantly, from 35 percent in 1955 to 23 percent in 1980.¹ The Reagan years followed, bringing significant and lasting declines and by 2007 density had declined to around 12 percent. The percentage of unionized workers in the private sector is even lower, hovering around a mere 7.5 percent, lower than at the beginning of the Great Depression.² Similarly, the political clout of organized labor eroded tremendously during the Reagan-Bush era, the George W. Bush years, and even under President Clinton and other labor supported democrats. The forces of this decline are at times explained as internal and at others

¹ Yates, *Why Unions Matter*, 189.

² Ibid.

external, but regardless, would create a desperate need for alternative strategies in an evolving labor movement.

The external forces of labor's decline are in some ways easier to blame, portraying unions as victims of uncontrollable factors. While these explanations introduce factors that greatly influenced labor's decline, they fall short in providing a complete account. Most significantly, some argue that our economic shift from production to services inevitably caused union decline because the highest percentage of unionized workers has traditionally been in the manufacturing sector.³ However, there is nothing inevitable about that effect as service workers in Scandinavian countries are highly organized, and in the U.S. the Service Employees International Union (SEIU) and other Change to Win unions have shown the ability to effectively organize in some of the most challenging service industries, perhaps most represented by the renowned Justice for Janitors campaigns.⁴ Another claim is that public attitudes have changed and workers no longer desire unionization.⁵ However, polls show that the numbers of workers that want to be organized far outnumber union density. Those numbers are overwhelmingly highest among minority workers who also make up a fast growing share of the American workforce.⁶

Another popular explanation is that the increasing mobility of capital and the ability for companies to move work to developing nations abroad has crippled the ability of unions to organize workers.⁷ While the impact of a globalized economy on domestic organizing has presented significant challenges to organized labor, that proposition greatly

³ Ibid., 191.

⁴ Clawson, *The Next Upsurge*, 99.

⁵ Yates, *Why Unions Matter*, 191.

⁶ Ibid.

⁷ Ibid., 192.

exaggerates it, as companies still prefer to locate their manufacturing in countries that have a high volume of sales, and many services cannot be outsourced at all.⁸ Additionally, the mobility of capital is largely an effect of trade policy, which has consistently eroded domestic production in favor of outsourcing corporations.⁹ Conceivably, with a stronger labor movement, domestic worker protections that once existed could be reconstructed at the federal level.¹⁰

A fourth major suspect of external causation is weak domestic labor law. While the inability of the National Labor Relations Board to protect worker's rights has clearly had a negative impact on union strength, there are two points to consider. For one, it is still very much possible for organized workers to win recognition from employers, despite the laws. Moreover, labor victories are consistently being won outside of the confines of labor law, with aggressive direct action organizing and public relations campaigns to demand recognition from employers. Secondly, it must be recognized that labor's own weakness contributed to the passage of anti-labor laws in the first place, and thus in this instance the effect can be confused with the cause.¹¹

The external forces cited as the decline of the labor movement fall far short in identifying some of the fundamental sources of the problem. Three major characteristics of the labor movement in the second half of the twentieth century illuminate internal causes of decline, and also highlight those areas in which the movement has begun to evolve, providing opportunities for recovery. Unions became bureaucratic staff-driven entities

⁸ Ibid.

⁹ Ibid., 193.

¹⁰ Ibid.

¹¹ Ibid., 194.

that functioned within the “postwar accord,” unwilling to challenge employers.¹²

Additionally, a lack of democratic inclusion in the decision making process, and a “servicing model” of unionism which neglected organizing and did not adapt to the changing demographics of America’s working class, inhibited organized labor from effectively advancing a working class agenda. Collective bargaining was a centralized affair far removed from worker participation. Even the most successful unions such as the United Auto Workers could be described as “one-party states” with new leaders chosen by the old.¹³

While powerful national unions did win significant benefits for their members, at their best, unions practiced the “servicing model” of unionism. Some labor leaders including former AFL-CIO president George Meany, admitted to a complete disinterest in nonunionized workers, even blaming these people for union decline.¹⁴

As the external political and economic forces began to take form, including loss of manufacturing jobs, globalization, and weaker labor laws, this model did not adapt. Powerful unions of mainly white men serviced their members while inclusion and new organizing was almost completely neglected, and union density in the movement greatly diminished, along with its political clout.

The labor movement has now seen resurgence, largely by responding to and correcting prior strategic flaws. Where the movement has been most successful, there has been an important focus on organizing, inclusion, and broad coalition building often outside of the realm of collective bargaining. In places like Los Angeles, vibrant organizing

¹² Clawson, *The Next Upsurge*, 27.

¹³ Yates, *Why Unions Matter*, 196.

¹⁴ *Ibid.*, 197.

and minority leadership in service industries including janitors, security guards, taxi cab drivers, car washers, hotel workers, and others illuminate the potential for organization in previously neglected industries and amongst ignored demographics.¹⁵ New models of organizing include vital roles from regional labor councils and worker centers that have the capacity to function within broader social movements.¹⁶ The new labor movement does not only fight for collective bargaining rights but has won victories in new arenas by building broad based economic justice coalitions. One of these new arenas is local politics, where organized labor and community advocates have joined to push economic justice agendas that include living wage laws, construction careers policies and community benefits agreements.

Community Economic Development

The labor movement has seen a steady decline in union density and political power since its height in the mid-twentieth century, due in part to both internal and external forces. In parts of the country however, organized labor has seen resurgence around both traditional organizing for collective bargaining agreements, and perhaps more significantly around alternative organizing strategies including activism and coalition building in local politics.¹⁷ Similarly, economic development models have been transformed in the last twenty years in response to failed market-based development strategies and top-down government intervention. Community-based economic development models have emerged

¹⁵ Milkman, Bloom, and Narro, *Working for Justice*.

¹⁶ Clawson, *The Next Upsurge*, 106.

¹⁷ Ibid.

in this vacuum, promoting community involvement and empowerment by demanding economic justice for low-income and minority communities in the development process.¹⁸

These distinct movements have been most effective in recent years where they have aligned to build powerful community/labor alliances, at times bridging past divides, and winning important victories for working people. An important arena where this coalition building has been especially influential has been in urban politics.¹⁹ Beginning in 1994, with the introduction of living wage laws, these alliances have been responsible for a range of local policies that advance organized labor interests outside of the traditional framework of labor law, while embracing a community driven economic justice agenda.²⁰ Much of the innovative policy work that has become a trend nationally was conceived in Los Angeles, a hotbed for both labor and community organizing. One of the most intriguing of these various policy tools has been the evolution and proliferation of community benefit agreements, which are contracts between developers and communities, and more recently local policy initiatives, that contain significant labor provisions and other benefits designated by the community.²¹

The effort for community groups to influence the development and urban design within their neighborhoods is largely an effect of failed federal programs such as the urban renewal program of the 1950s.²² Efforts to subsidize private development in “blighted” areas largely failed due to the exclusion of community interests. The urban policies and community organizations that were established in response to these failures evolved to

¹⁸ Cummings, “Community Economic Development as Progressive Politics.”

¹⁹ Stone and Cummings, “Labor Activism in Local Politics.”

²⁰ Luce, “Living Wage Policies and Campaigns.”

²¹ Gross, Janis-Aparicio, and Leroy, *Community Benefit Agreements: Making Development Projects Accountable*.

²² Cummings, “Mobilization Lawyering,” 305.

form the contemporary landscape of community economic development (CED). Recently, shifts in CED from paternalistic models based on partnerships between organizations and developers, to adversarial and inclusive models, have sought to increase community influence in the development process.²³

Traditionally, CED has not been connected to broad-based social movements. Instead, these efforts have been parochial, seeking to preserve community boundaries and increase community control of resources. Moreover, while CED did establish some mechanisms for sustained community participation in economic development, it did so through the design of partnerships between government and business elites, which created disincentives for political confrontation seeking systemic reform. Thus, traditional CED models were not designed to challenge the status quo and could not significantly change the relations of power between communities and private interests.²⁴

To challenge the constraints of traditional CED, recent progressions have departed from the transactional and anti-confrontational models. Most significantly, the accountable development movement in Los Angeles, and its related models of CED practice, emphasize community organizing and collective action to demand benefits for communities and their low-income residents from developers through a variety of legal leverage building strategies.²⁵ This shift in CED strategy mirrors a similar shift in the labor movement that seeks to promote stakeholder participation and coalition building, fusing once disparate movements into more comprehensive and powerful progressive forces. In fact, these interests began to converge in cities like Los Angeles where organized labor was evermore

²³ Ibid., 313.

²⁴ Ibid., 303.

²⁵ Ibid., 313.

so comprised of members in both rank and file and leadership positions, from communities involved with CED initiatives. These community driven and inclusive CED models are best examined through the successes of living wage ordinances and community benefits agreements, after tremendous community mobilization and coalition building with organized labor and other non-traditional allies.

Living Wage Laws

Organized labor and community-based organizations have built strong alliances in various cities nationally in order to pass legislation at the local level utilizing a few specific policy mechanisms most frequently and effectively. The first of which was the emergence of living wage ordinances, which were first introduced in Baltimore, Maryland in 1994.²⁶ These campaigns grew out of the recognition of a significant disparity between poverty levels and the federal minimum wage, which had not been increased regularly, partially because of the decreased national influence of organized labor. By the early 1990s, inflation caused the federal poverty line to significantly outpace the federal minimum wage. Activists conceptualized living wage ordinances in order to pass wage increases for workers at the city level, because of the difficulties of winning a federal minimum wage increase. These advocates focused their efforts locally where people power had a greater chance to combat private interests. In this arena unions, community, and faith groups have been able to organize coalitions that have the political clout to access and lobby City Council members on a regular basis.²⁷

²⁶ Cummings, "Community Economic Development as Progressive Politics," 446.

²⁷ Luce, "Living Wage Policies and Campaigns," 15.

Most living wage ordinances set the living wage to the federal poverty line for a full-time worker with a family of three or four, although a few are set at 110 or 120 percent of that level.²⁸ Unlike, the federal minimum wage, most living wage ordinances contain mechanisms through which the wage is adjusted annually to compensate for inflation and cost of living increases. Additionally, many of these ordinances have provisions that require employers to provide even higher wages if they do not provide health insurance. In a few cases, activists and local coalitions have passed city wide minimum wages that cover all workers; however, currently only four cities (San Francisco, Santa Fe, Madison, and Washington D.C) in the nation have such laws.²⁹ The issue of coverage, is perhaps most important when discussing living wage ordinances.

Originally, living wage ordinances only directly applied to private companies that contracted with the city; city employees that were paid higher wages had usually done the services of those companies historically. However, community/labor coalitions worked hard to expand coverage in the following years to reach more workers, including firms receiving subsidies from the city, firms operating on city-owned property, subcontractors of covered firms, and direct city or county employees. In cities with especially robust advocacy and organizing, living wage ordinances have been applied to workers that have even greater distance from the public realm, such as in Chicago with an ordinance attached to “big box” store workers, and in Los Angeles where hotels near the airport were covered by the living wage.³⁰ Los Angeles provides an excellent case study of labor/community

²⁸ Ibid., 13.

²⁹ Ibid.

³⁰ Ibid., 14.

coalition building around a living wage that built momentum and eventually reached far beyond a singular ordinance.

Successful living wage advocacy in Los Angeles in the late 1990s and the next decade highlights how labor unions and community-based organizations have collaborated with activists and CED organizations to improve economic conditions for the poor. In 1997, the Los Angeles Living Wage Ordinance was passed, with Los Angeles Alliance for a New Economy (LAANE) playing an instrumental role by connecting organized labor and community groups, building broad-based support.³¹ This was done by forging a coalition that included but was not limited to grassroots organizations such as Action for Grassroots Empowerment and Neighborhood Development Alternatives (AGENDA), faith-based groups such as Clergy and Laity United for Economic Justice (CLUE), labor leaders from the Los Angeles County Federation of Labor, and local unions including the Hotel and Restaurant Employees Union (HERE) and Service Employees International Union (SEIU).³² The broad coalition mounted a citywide campaign relying on grassroots mobilization, policy advocacy, and media pressure. The campaign overcame tremendous odds to win a living wage law that requires any employer with a city contract, concession agreement, or subsidy of more than \$100,000 to pay the designated living wage minimum, which is adjusted annually.³³ In 1998, the Los Angeles Living Wage Ordinance was amended to extend converge to all entities with a lease or license of city property.³⁴

LAANE built on its initial living wage victory, by expanding its work to Santa Monica, an incorporated city in Los Angeles County, and eventually to airport hotels. The living

³¹ Cummings, "Community Economic Development as Progressive Politics," 471.

³² Ibid.

³³ Ibid.

³⁴ Stone and Cummings, "Labor Activism in Local Politics," 11.

wage ordinance that was passed in 2001 in Santa Monica was even more impressive than the original.³⁵ The Santa Monica law covered all employers in a geographic area, regardless of whether or not they held government contracts.³⁶ Similarly in 2006, the Los Angeles Living Wage Ordinance was expanded to cover all of the hotels near the airport in the Century Corridor.³⁷ These hotels depended on the LAX airport, a public entity and regional economic hub whose workers were already covered, for their business and after tremendous organizing and mass protests; the same coalition was able to expand the city's living wage ordinance again. The living wage movement has succeeded in creating an income floor in many cities throughout the country, raising a significant number of working-class people out of poverty.³⁸

More so than the increase of the income floor, living wage campaigns have achieved important goals for the activists and coalition partners involved. According to Stephanie Luce, three of the most significant outcomes of living wage campaigns are: building new alliances and coalitions among economic justice advocates, influencing national dialogue about low wage work, and assisting in unionizing efforts.³⁹ Perhaps the most significant impact of living wage ordinances has been the creation of new alliances and coalitions, with some union leaders and community activists pursuing campaigns specifically for the purpose of building coalitions among groups that had not historically worked together.⁴⁰ For example, in Boston the living wage campaign helped to establish a strong alliance between the now defunct primarily African American organization ACORN and the

³⁵ Pollin, "What Is a Living Wage?" 268.

³⁶ Cummings, "Community Economic Development as Progressive Politics," 471.

³⁷ Kohli, *Transforming the Gateway to L.A.*, 1.

³⁸ Cummings, "Community Economic Development as Progressive Politics," 472.

³⁹ Luce, "Living Wage Policies and Campaigns," 19.

⁴⁰ *Ibid.*

historically white trade unions.⁴¹ Similarly, as noted above, the Los Angeles campaigns helped to establish CLUE as a new organization and unite organized labor with a broad range of community groups.⁴² These alliances enact work policies that indirectly promote unionism, while providing benefits to low-wage workers beyond the union fold.⁴³

Living wage campaigns are a perfect example of the kind of coalition building and alternative organizing strategies that unions must participate in to advance the movement. They also provide local unions with the ability to engage workers already unionized in political movements, assist organizing drives with nonunionized workers, and change industry standards.⁴⁴ Service unions such UNITE HERE and SEIU have been especially active in living wage campaigns, and have seen major benefits.⁴⁵ Living wage campaigns often benefit workers not reached by traditional union activity, are generally connected to broad social *movements*, and fuse once disparate yet aligned progressive forces. These characteristics that are also shared by other policy campaigns, create the potential for a radically different and more powerful labor movement, one whose organizational basis would differ significantly from the traditional model.⁴⁶ According to prominent labor scholar Dan Clawson:

No campaigns do more than living wage... struggles to show the potential for a dramatic shift in the labor movement. The 1930s expanded the conception of "union" from just skilled workers to everyone at a workplace and from white to multiracial. Living Wage... struggles hold the potential for a new paradigm, one that further expands the notion of "union," or perhaps replaces "union" with "labor movement." These struggles go beyond a single worksite or employer to make the issue of concern to the entire community...

⁴¹ Ibid., 20.

⁴² Cummings, "Community Economic Development as Progressive Politics," 471.

⁴³ Stone and Cummings, "Labor Activism in Local Politics," 12.

⁴⁴ Luce, "Living Wage Policies and Campaigns," 21.

⁴⁵ Ibid., 20.

⁴⁶ Clawson, *The Next Upsurge*, 165.

This further broadens who is included and the focus of solidarity, building coalitions that reach beyond the usual bounds (of race, employer, skill), implicitly creating a class struggle of community against employers.⁴⁷

While living wage campaigns were the first major policy tool utilized to fuse community and labor organizations into a connected and powerful movement, both construction careers policies and community benefits agreements have built upon that initial foundation.

African American Activism and the Construction Trades

The living wage movement, which began in the 1990s, was one of the earliest and most significant arenas for organized labor to align with community interests in order to advocate for local policy.⁴⁸ These campaigns proliferated nationally and would set the foundation for more innovative policy initiatives to follow, including construction careers policies and community benefits agreements. However, the labor unions involved in living wage campaigns have overwhelmingly been service unions such as SEIU and UNITE-HERE, which by their very nature had already made some strides in overcoming certain internal factors in labor's decline (i.e. organizing service workers, racial inclusion, etc).⁴⁹

Many of the policy tools that would follow the living wage movement, including construction careers policies and community benefits agreements, would rely on community coalition building with the major trades unions. These unions have a unique history in the context of local and national politics, which at times has been very oppositional to community interests, most significantly with African Americans advocating

⁴⁷ Ibid., 188.

⁴⁸ Luce, "Living Wage Policies and Campaigns."

⁴⁹ Yates, *Why Unions Matter*, 197.

for workforce diversity. The historical divide between mainly white trades unions and black community activism is an important narrative to contextualize the significance of contemporary coalition work, which seeks to bridge those longstanding differences.

The construction industry, one of the most consistent pathways to the middle class, is still to this day disproportionately inaccessible for African Americans. Over 7% of the entire employed population of the country works in construction. However, this economically vital industry has largely excluded black workers. Nationally, African Americans make up 12.5% of the population; yet only constitute 6.4% of the construction industry workforce.⁵⁰ The rates of construction industry participation are even more disproportional when examining those in advanced positions in the industry. Only 2.5% of those individuals that constitute the management level of the construction industry are African American.⁵¹ The lack of upward mobility in the industry is troubling when contextualized alongside poverty rates of construction workers. In Los Angeles County for example, 36% of workers in the construction industry live in “real” poverty, compared to the county rate of “real” poverty at 26%.⁵²

The racial exclusivity of the construction trades is rooted in a lengthy history of industry segregation. The construction industry played a vital role in building America’s middle class during the postwar boom when nearly 10% of all male employment was in the trades.⁵³ However, access to this newfound prosperity was not shared across racial lines, and black unemployment actually increased rather than decreased during this economic peak because of the segregation of African Americans into low and semiskilled jobs that

⁵⁰ American Community Survey Data

⁵¹ U.S. Equal Employment Opportunity Commission Data

⁵² Briones, *Beyond Unemployment*.

⁵³ Goldberg and Griffey, *Black Power at Work*, 2.

were vulnerable to layoffs due to automation, the relocation of factories to suburbs, and deindustrialization.⁵⁴ According to labor historians David Goldberg and Trevor Griffey,

“The “racial welfare state” of the New Deal – which subsidized racially segregated homeownership and discriminatory employers and granted labor rights to racially discriminatory unions – deepened racial segregation by limiting economic and social mobility to white men, thus producing “a mostly white and propertied proletariat in the suburbs, and a poor, inner city working class of people of color.”⁵⁵

White unions were not passive in this process, actively opposing affirmative action and workforce integration programs. Similarly, black radical labor organizations were expelled from the labor movement during the Red Scare, and during Cold War unionism dominated by the trades unions, limiting the influence of civil rights activists in the labor movement.⁵⁶

The importance of the construction industry to the postwar boom period of economic prosperity, as well as the industry’s reliance of public subsidies, primed the building trades to be an important arena for affirmative action activism. In April 1963, black activists in Philadelphia, frustrated with the pace of racial liberalization and gradualist approach of civil rights leaders, began a two-month series of protests and construction (jobsite) shutdowns to demand the inclusion of blacks in city sponsored construction projects.⁵⁷ The 1963 protests in Philadelphia helped to catalyze a six-year, nationwide movement for “affirmative action from below” that became rooted in Black Power and community control politics. While Black Power construction campaigns facilitated the implementation of affirmative action in the building trades beginning in

⁵⁴ Ibid.

⁵⁵ Ibid.

⁵⁶ Ibid., 2–3.

⁵⁷ Ibid., 2.

1969, the opposition of white unions and their unlikely alliance with the Nixon administration coupled with recession severely compromised those policies.⁵⁸

White trades unions framed affirmative action and integration programs as anti-union and falsely blamed the inclusion of blacks for the high rates of unemployment in the industry in the 1970s.⁵⁹ That resistance played a critical role in limiting the ability of the federal government to enforce the new civil rights laws long before the more overt backlash against affirmative action policies became prominent in U.S. political culture in the 1980s and 1990s.⁶⁰ Affirmative action law emerged out of and in response to civil rights movement protests against the racism of federal construction contractors, whose discriminatory hiring policies were defended and often administered by the powerful trades unions.⁶¹ During the implementation of the 1969 affirmative action “Philadelphia Plan” hostile union journeymen hazed new black journeymen off jobs with impunity, and others simply refused to teach black apprentices.⁶² In turn, the DOL backed off of the Philadelphia Plan due to the union resistance by promoting voluntary desegregation plans for the construction industry over government regulation, leading to a national shift that allowed unions and contractors to openly violate integration plans.⁶³ Contrary to popular belief, there was no heyday for attempts by federal regulatory agencies to impose affirmative action on U.S. industry, and the building trades were a prime example and cause of this failure.⁶⁴

⁵⁸ Ibid., 2–4.

⁵⁹ Ibid., 194.

⁶⁰ Ibid., 134.

⁶¹ Ibid.

⁶² Ibid., 135.

⁶³ Ibid.

⁶⁴ Ibid., 134.

Black Power labor activism is not anti-union, but an important form of labor radicalism that is vital for the movement at large. The cultural and racial politics of the workplace continues to limit the ability of trades unions to respond to the catastrophic loss of power due to deunionization over many decades.⁶⁵ Women of all backgrounds and African American men remain grossly underrepresented in the construction industry since gaining their access following the implementation of affirmative action in the 1960s and 1970s.⁶⁶ For the past forty years, Republicans have sought to organize white working-class men to oppose the new deal state in general and federal employment programs in particular by exploiting workers' economic anxiety in racial and gendered terms.⁶⁷

To this day, many white workers in the building trades are more likely to view affirmative action as a greater threat to their employment prospects than the lack of a full-employment program. However, by actively incorporating and seeking common ground with women, low-income workers, and communities of color, the building trades unions could greatly enhance the cause of social justice unionism while redefining and reinvigorating the labor movement in the United States.⁶⁸ In cities across the country trades unions have begun to do this through advocacy for community workforce agreements, community benefits agreements, and other construction careers policies that include significant workforce diversity components supported by nontraditional community allies, including those in the African American community.

⁶⁵ Ibid., 196.

⁶⁶ Ibid., 201.

⁶⁷ Ibid., 190.

⁶⁸ Ibid., 207.

Construction Careers Policies

The living wage movement and the community/labor alliances that were established in many cities and states from living wage campaigns set the foundation for new innovative policy measures based on similar coalitions. In some cities and states, building trades unions were able to win project labor agreements (PLA) and community workforce agreements (CWA) that apply to large economic development projects. These agreements have at times been a part of broader “construction careers” policies that guarantee that the projects will be built with union labor and that the workers are paid union wages. Furthermore, the targeted hiring requirements aim to ensure that the jobs created are accessible to those geographically local and “disadvantaged workers.”⁶⁹ These policy tools thus help to break down the divide between historically white trades unions and urban communities that have historically been excluded from middle class construction careers. These agreements have been promoted by broad community/labor alliances, which the community benefits agreement model builds upon even further, by designating additional sustained community benefits that extend beyond the hiring process.⁷⁰

An alliance between organized labor and community groups grew stronger following living wage and community benefit victories in the late 1990s and early 2000s. This strength was evident in the successful advancement of construction workforce policies that both reflected union interests and the interests of low-income and minority communities. In 2008, the Community Redevelopment Agency (CRA) of the City of Los

⁶⁹ Cummings and Boutcher, “Mobilizing Local Government Law for Low-Wage Workers,” 22.

⁷⁰ Cornejo, “Moving LA Forward.”

Angeles instituted the Construction Careers and Project Stabilization Policy aimed at promoting the hiring of local low-income residents on CRA supported projects.⁷¹ The policy campaign was headed by labor organizations but joined by community and faith based organizations.⁷²

Applicable to all projects receiving over \$500,000 in public improvement funds, projects constructed on CRA-owned property, or projects receiving more than \$1million in CRA subsidies, the policy requires that “local area and community residents” perform a minimum of 30 percent of all work and that “disadvantaged workers” with minimal union experience perform 10 percent of all work.⁷³ Additionally all CRA projects were to be covered by project labor agreements and requires developers to engage in programs to reach targeted and low-income community residents, coordinate job training, and facilitate targeted hiring.⁷⁴ The Construction Careers policy led to dozens of public projects that generated job training and union construction opportunities for Los Angeles communities.⁷⁵ Building on this success, in the past year a similar coalition of labor and community partners, along with environmentalists, passed a new Construction Careers policy through Metro, attached to the more than \$72 billion allocated for mass-transit expansion investment in Los Angeles. The workforce agreement is expected to benefit nearly 73,000 people from disadvantaged communities.⁷⁶

⁷¹ Cummings and Boutcher, “Mobilizing Local Government Law for Low-Wage Workers,” 22.

⁷² Ibid., 37.

⁷³ Ibid., 22.

⁷⁴ Ibid., 23.

⁷⁵ Owens-Wilson, *Constructing Buildings & Building Careers*.

⁷⁶ Cornejo, “Moving LA Forward,” 8, 26.

The CRA's Construction Careers policy and Metro's new Construction Career policy are excellent examples of Community Workforce Agreements (CWA). A CWA combines the job quality standards commonly seen in Project Labor Agreements (PLA) and includes targeted hiring programs.⁷⁷ Unionized construction careers have long been one of the most successful pathways to the middle class, but have also traditionally had obstacles for low-income communities and communities of color. That reality had inhibited trades unions from contributing to the new direction of the labor movement, until new alliances were formed around inclusion and community coalition building. Like living wage ordinances, community workforce agreements have fused progressive movements in support of local economic justice policies. In the same regard, community benefit agreements have exploded nationally as a popular policy model after being conceptualized and implemented by broad based coalitions in Los Angeles that included unions, labor organizations, community-based organizations, environmentalists, and clergy.⁷⁸

Community Benefits Agreements

Los Angeles Alliance for a New Economy built upon their success with living wage ordinances by helping to pioneer the country's first community benefits agreements (CBA). CBAs utilize the development process to not only leverage union jobs during the construction phase, but also to promote living wage jobs responsive to local residents hiring needs once the project is built and leased out to tenants, along with a variety of other

⁷⁷ Owens-Wilson, *Constructing Buildings & Building Careers*.

⁷⁸ Salkin and Lavine, "Negotiating for Social Justice and the Promise of Community Benefits Agreements."

community designated benefits.⁷⁹ When done correctly, some of the most robust labor/community coalition building has been done in conjunction with CBAs. According to Julian Gross (2007), one of the original CBA lawyers, to be considered a CBA an agreement must meet the following definition:

A CBA is a legally binding contract (or set of related contracts), setting forth a range of community benefits regarding a development project, and resulting from substantial community involvement.⁸⁰

Now a common community economic development strategy, CBAs were a completely new development strategy in 2001 when the Figueroa Corridor Coalition for Economic Justice negotiated the country's first "true" CBA with the developers of the Los Angeles Sports and Entertainment District, an area surrounding the Staples Center. The Staples CBA was a tremendous achievement including an unprecedented array of community benefits, including:

- A developer funded assessment of community park & recreation needs, and a \$1 million commitment toward meeting those needs;
- A goal that 70% of the jobs created in the project will pay the City's living wage, and consultation with the coalition on selection of tenants;
- A first source hiring program targeting job opportunities to low-income individuals and those displaced by the project;
- Increased affordable housing requirements in the housing component of the project, and a commitment of seed money for other affordable housing projects;

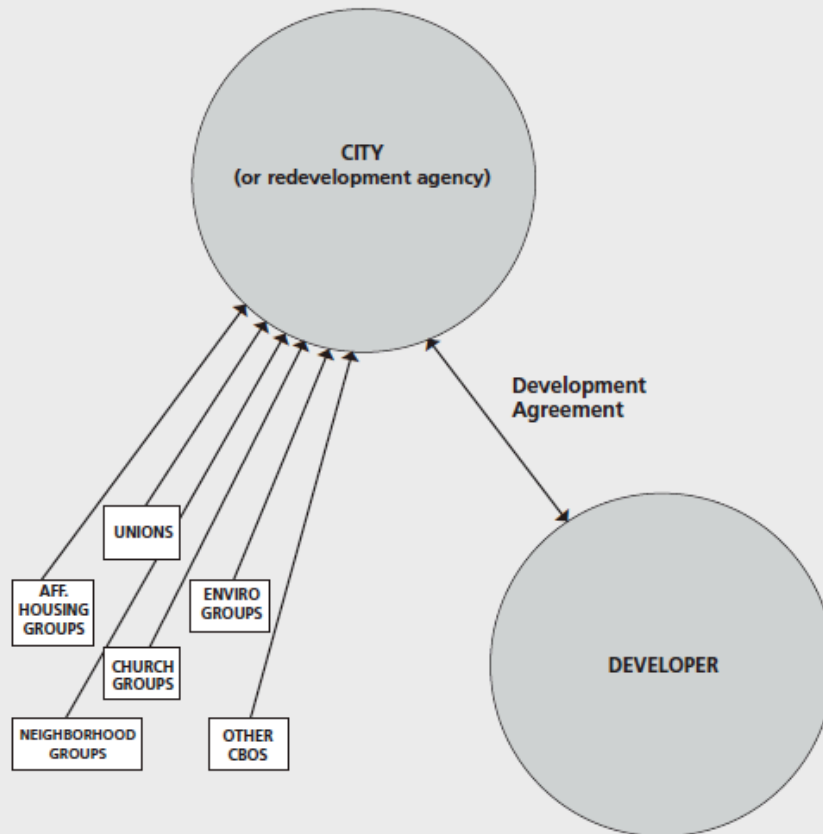
⁷⁹ Cummings and Boutcher, "Mobilizing Local Government Law for Low-Wage Workers," 19.

⁸⁰ Gross, "Community Benefits Agreements," 37.

- Developer funding for a residential parking program for surrounding neighborhoods; and
- Standards for responsible contracting and leasing decisions by the developer⁸¹

⁸¹ Gross, Janis-Aparicio, and Leroy, *Community Benefits Agreements: Making Development Projects Accountable*, 14.

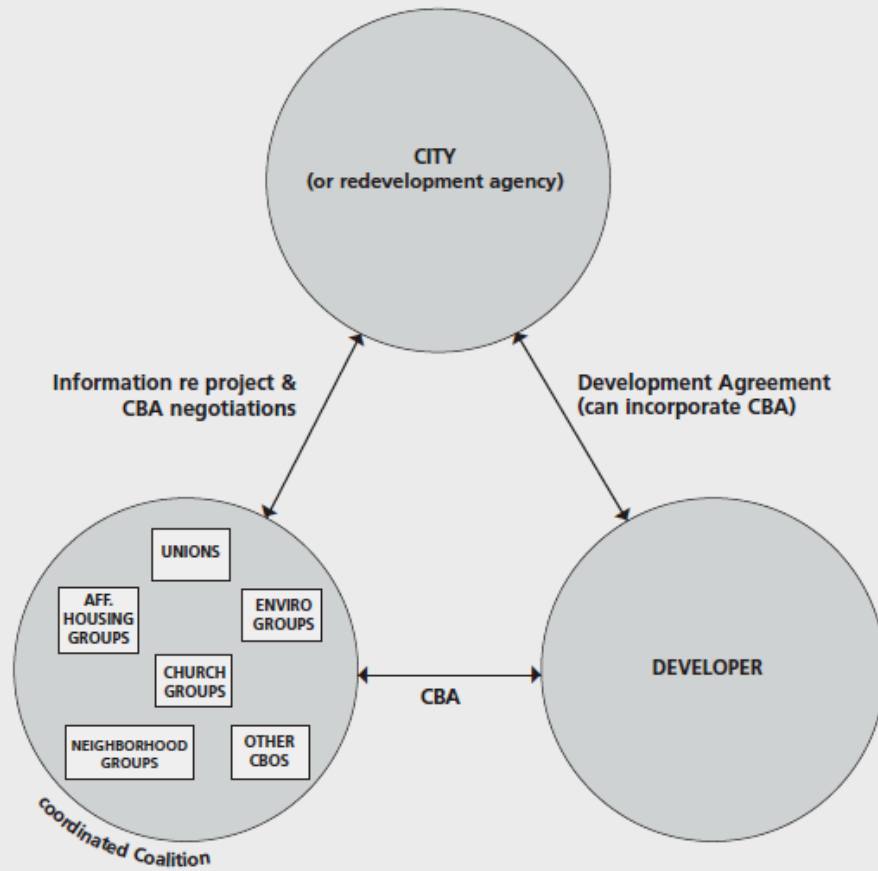
WITHOUT A CBA



- Little or no direct communication b/w community groups and developer
- All developer commitments go into development agreement – city & developer draft language
- No coordination & shared power among community groups
- Community groups cannot enforce developer commitments

Figure 1 – Source: Gross, J., Leroy, G. & Janis, M., 2005

WITH A CBA



- Developer commitments re community benefits go into CBA
- Coalition & developer draft language together
- Community groups can enforce developer commitments (City and agency can too, if CBA is included in the development agreement.)
- Community groups share information, have strength in numbers, and coordinate their advocacy

Figure 2 – Source: Gross, Leroy, Janis, 2005

It is truly remarkable how much was won for Figueroa corridor communities in the first CBA. However, as was the case with living wage ordinances, which are usually a component of CBAs, lessons were learned following the Staples CBA and contemporary agreements have evolved accordingly. The first several CBAs were negotiated in California in the early 2000s, most frequently in Los Angeles. In 2008, prominent CBAs were negotiated in several other cities including Seattle, Pittsburg, and San Francisco.⁸² With the proliferation of CBAs throughout the country, a tremendous amount of buzz has been created, which at times has lead the term CBA to be used recklessly. The best example of the term being co-opted to gain support for controversial projects without proper community involvement was in New York, with the development of the new Yankee Stadium, where the term was used to gain political capital for the developers and supportive politicians without sufficient community participation or accountability.⁸³

Communities and community organizations leverage developers based on the utilization of public resources, federal or state statutes, land use approvals, or simply based on the community's power to oppose a project, to demand that certain benefits from said development stay in the immediate community.⁸⁴ A CBA is a legally binding document that is the result of this community mobilization and confrontation. The effectiveness of a CBA should be judged by its ability to build lasting community power. The best way to do this is by utilizing inclusiveness and accountability as the measuring sticks for each agreement.⁸⁵ Community inclusiveness ensures that a broad range of community interests is accounted for in the negotiation process and that the coalition is truly representative of the

⁸² Jones and Clay, *Building Healthy Communities*, 215.

⁸³ Gross, "Community Benefits Agreements," 42.

⁸⁴ Beach, "Strategies and Lessons from the Los Angeles Community Benefits Experience."

⁸⁵ Gross, "Community Benefits Agreements," 38.

community. A representative and effective CBA coalition has every incentive to bring in as many community interests as possible, in order to build leverage and lasting community power. Likewise, accountability is the second measuring stick of a CBA, and is tested by whether or not the promises made by developers or a redevelopment agency regarding community benefits are legally enforceable.⁸⁶ If the coalition cannot legally enforce the agreement against the party that committed to it, then all that was won was a “handshake agreement” and no real community power was built.

The Los Angeles Community Benefits Experience

The case study of the CBA experience in the Figueroa Corridor of Los Angeles illuminates the appropriate function of CBAs and highlights the incredible potential of CBAs to bring together community and labor interests. The Los Angeles Sports and Entertainment District, also known as LA Live, is a 27-acre site just south of Downtown Los Angeles, in the Figueroa corridor. The area’s boundaries are set by the Staples Center to the north, home to five of the city’s sports teams, and by the campus of the University of Southern California (USC) to the south. The original community benefits campaign grew out of the efforts to redevelop this area. This predominately Latino working-class neighborhood became a flashpoint for accountable development activism as city officials and developers sought to remake the area into Los Angeles’ sports and entertainment hub. State redevelopment law is the critical mechanism in this process, allowing community redevelopment agencies, in this instance the former Los Angeles Community

⁸⁶ Ibid., 38–39.

Redevelopment Agency (CRA), to designate “blighted” areas and encourage private development through eminent domain and public to private subsidies.⁸⁷

In the Figueroa corridor the CRA put pressure on its low-income communities through supporting development, most significantly the expansion of USC and LA Live. Between 1997-1999, the area went through a significant transformation, when the City subsidized a complex public/private deal with billionaires Ed Roski, Phillip Anschutz, and Rupert Murdoch, to build the 20,000-seat Staples Center. The arrival of the Staples Center marked the beginning of a new vision for downtown Los Angeles, as an attractive site for the well-to-do, a vision that was at odds with the existing community.⁸⁸

With the obvious reality that more development and higher rents were on their way, community organizing began in the Figueroa Corridor directly after the Staples project. It was convenient that in the previous ten years, Los Angeles had seen an incredible rebirth of organizing, with labor and community groups coming together in support of campaigns for policies like living wage ordinances. This rebirth was due in large part to the emergence of regional labor councils and prominent service unions that boasted significant minority membership and leadership. The key labor group in the emerging coalition was LAANE, which was deeply rooted in all of the city’s unions. Strategic Actions for a Just Economy (SAJE) was the community-organizing arm that in 1998 had forged the first community-labor network in the Figueroa Corridor around USC employees. This network formally restructured in 1999 to form the Figueroa Corridor Coalition for Economic Justice (FCCEJ), and would include LAANE, SAJE, ACORN, AGENDA, Esperanza Community Housing Corporation, CHIRLA, HERE Local 11, SEIU local 1877, and a slew of other labor,

⁸⁷ Cummings, “Mobilization Lawyering,” 314.

⁸⁸ Ibid., 315.

community, faith based, and environmental groups.⁸⁹ With the beginnings of the coalition already in place, the announcement was made in May 2000, that a major development project would transform the area around Staples Center into LA Live.⁹⁰

By the time that the FCCEJ had their first official meeting in late 2000, a single focus had already materialized amongst coalition members: forcing LA Live developers to address community needs. As the campaign and coalition took shape, a wide variety of interests came to the table including economic justice organizations, environmental organizations, and community-based organizations, along with community service groups, churches, housing organizations, immigrant rights groups, health advocacy groups, neighborhood groups, student organizations, and individual unions. The coalition's relationship with organized labor and a skilled workforce was especially significant to the developer. Less concerned with FCCEJ itself, the developers had to listen to all of the community interests because of the solidarity from the unions. Because the unions wanted to development for job creation, FCCEJ decided to focus its campaign on the negotiation of the CBA that would support the development and the community. Gilda Haas of SAJE and Madeline Janis of LAANE pioneered the concept of a CBA, a legally binding developer/community agreement, built off of precedent set in government agreements with similar formations of community groups.⁹¹

A negotiation team was selected by FCCEJ as a whole, heavily relying on the negotiation skill and legal expertise of certain coalition members. This however left little room for community members so the coalition established a team of neighborhood and

⁸⁹ Cummings and Boutcher, "Mobilizing Local Government Law for Low-Wage Workers," 20, 37.

⁹⁰ Cummings, "Mobilization Lawyering," 316.

⁹¹ Ibid., 317-318.

community representatives that would be present at all meetings and communicate between all interests. A final agreement was reached on May 30, 2001, and included a plethora of benefits that satisfied many of the diverse needs of the various coalition interests. Under the agreement, FCCEJ agreed not to publically oppose the project. Only through the establishment of an incredible amount of community power, could that have been the bargaining chip.

Even though it was the first agreement, the Staples CBA is still considered one of the most effective and it provided the foundation for the growth of a movement. As of 2010, there were around thirty CBAs currently in effect nationally, but that number continues to grow.⁹² Much of what has been established concerning the qualifying characteristics of authentic CBAs is a product of the Figueroa Corridor CBA experience.⁹³ However, important lessons were also learned considering the limitations of CBA agreements, as some of the effects of the development, most significantly issues of gentrification and community displacement were not completely mitigated. As the policy model continues to evolve and spread nationally it is important for activists and advocates to remember the founding values of inclusiveness and accountability.⁹⁴ In doing so, CBAs provide a framework for powerful labor and community organizing that can have a lasting impact in successful cities with which the labor movement can regain strength and participate in a broader economic justice agenda.

⁹² Wolf-Powers, "Community Benefits Agreements and Local Government."

⁹³ Gross, "Community Benefits Agreements."

⁹⁴ Ibid.

The Evolution of Community Benefits Agreements

Since the introduction of community benefits agreements (CBA) in the early 2000s, the policy tool has spread rapidly, evolving to take on various forms. The political popularity of the term and its associated private agreements and policies, has resulted in CBAs being used widely both in tremendously beneficial and at times dangerous ways. When the concept of CBAs exploded there were places where the concept was co-opted and abused, with New York City the most obvious example. In New York there were multiple high profile development projects, including the Bronx Terminal Market agreement, the Yankee Stadium agreement, the Columbia University agreement, and various others where the developers and supportive politicians used the community benefits concept inappropriately to push through the projects.⁹⁵

The parties involved in the New York agreements alleged that they were serving the community through the development of their projects, but just about every case was nothing more than a series of empty promises that were utterly unenforceable.⁹⁶ Perhaps most egregious was the new Yankee Stadium project in 2006, where there was a community benefits agreement entered into by several elected officials and the New York Yankees, with zero community interests involved.⁹⁷ The agreement promised the stadium's workers a living wage, which along with flashy media coverage, led to the city council approving the project. However, the "CBA," contained zero language that held the Yankees accountable and when workers sought their living wage, they were turned away

⁹⁵ Ibid., 41–44.

⁹⁶ Beach, Personal Interview.

⁹⁷ Gross, "Community Benefits Agreements," 43.

without any options for enforcement.⁹⁸ While the Yankees stadium was perhaps the most high profile, nearly all of the New York agreements followed similar storylines.

While CBA advocates have to be conscious of the possibility of misuse, the spread of CBAs has brought the issue of community participation in the development process to a national scale. According to Ben Beach, the legal director for the Partnership for Working Families, who has worked on CBA and construction careers policies across the nation, “We’ve seen the concept of CBAs really take off in cities and communities all across the country... with its height during the peak of the real estate bubble when the negative effects of development such as displacement were most acute.”⁹⁹ Following the spread of CBAs and the eventual decline of the real estate market, the community benefits concept has evolved to take on various forms. Much of a CBA’s form is dictated by the political context of the city in which it is conceived, the community groups that are involved, and the type of development that is being addressed. There are a couple of significant shifts that have become noteworthy patterns in recent CBA experiences.

Perhaps most significantly, local governments have become more involved and at times CBAs have become more institutionalized, moving away from private community/developer negotiations. According to Beach, “We still are constantly getting calls from around the country from parties interested in developing CBAs, increasingly now from city officials, which is the most significant recent trend.”¹⁰⁰ While city officials want to pursue CBAs because it is a popular term capable of building political capital often times

⁹⁸ Beach, Personal Interview.

⁹⁹ Ibid.

¹⁰⁰ Ibid.

“they haven’t quite figured out how to do it.”¹⁰¹ This is largely an effect of decreased leveraging capability of communities due to the collapse of the real estate market and resulting decrease in development interest. To make up for that loss the Partnership for Working Families and other CBA allies have put more of an emphasis of assisting cities attempting to “promote the community benefits approach without jeopardizing the core values of legal enforceability and broad community participation.”¹⁰² This is evident in the recent CBA work done in Cleveland, where the work was conceived initially through a national conference called by the mayor resulting in a broad construction careers based CBA policy, and in other cities such as San Francisco and Portland.

While Beach acknowledges that the definitions component of CBAs has changed since his work on the initial CBAs with Julian Gross and others in the early 2000s, the values of such agreements remain constant, informing how success should be evaluated. Those values remain primarily based on the inclusion of broad community interests, accountability, and legal enforceability.¹⁰³ The current CBA efforts in Portland, Oregon are very representative of CBA evolution, containing many unique features including its nature as a template policy instead of a private contractual agreement; however, the Portland CBA should still be evaluated based on the inclusiveness of the campaign as well as the accountability and enforceability of the policy. According to Beach, “Those values of coalition work that has broad participation, legal enforceability, and accountability are all the same values that we would apply to any CBA or other policy tool still today.”¹⁰⁴

¹⁰¹ Beach, “Strategies and Lessons from the Los Angeles Community Benefits Experience.”

¹⁰² Beach, Personal Interview.

¹⁰³ Ibid.

¹⁰⁴ Ibid.

The Portland Community Benefits Campaign

On September 5th Mayor Sam Adams and the Portland City Council approved the Model Community Benefits Agreement introduced by the Metropolitan Alliance for Workforce Equity (MAWE), a coalition made up of organized labor, minority contractors, pre-apprenticeship programs and community groups. This agreement initially applied to two Water Bureau projects totaling \$100 million, provides significant resources to improve access for minority and women certified contractors to public works projects and for workforce development in underserved communities to stabilize the pipeline to middleclass union construction careers. The model agreement passed through city council should be applied to a wide range of city projects, and the coalition envisions targeting additional public owners and jurisdictions to which the policy could be introduced. This milestone was both an initial first step towards a more equitable workforce in Portland as well as a result of years of working to overcome historical gaps between organized labor and community interests.

Workforce Diversity in Portland

Workforce equity is far from a new issue in Portland. In the 1980s the Portland Organizing Project and Albina Ministerial Alliance (AMA), a group of black churches, organized a coalition to lobby the city for a first source hiring agreement.¹⁰⁵ In city government and amongst community groups, issues of minority contracting and workforce diversity have been popular talking points with developments such as the South

¹⁰⁵ Francesconi, Personal Interview.

Waterfront project in Southwest Portland, which included significant equity targets.¹⁰⁶ Additionally, there has been significant success in workforce development through pre-apprenticeship programs in low-income communities and communities of color with organizations such as Oregon Tradeswomen Inc, Constructing Hope, Portland YouthBuilders and others, providing alternative education options and placing students in both union and nonunion apprenticeship programs.

One of the area's first explorations into community-based workforce policy began in 2008 in the form of the Clean Energy Works Portland (later known as Clean Energy Works Oregon) community workforce agreement, which provided workforce development support through a green retrofits program. Additionally, the Clean Energy Works initiative helped build important knowledge and experience for community groups in the arena of local workforce policy, providing the foundation for many the coalition partners that would eventually be involved with the community benefits campaign. According to Connie Ashbrook of Oregon Tradeswomen Inc., "A lot of community-based organizations (in Portland) learned about how to do public policy on workforce initiatives through the Clean Energy Works community workforce agreement. We built a lot of knowledge, trust, and strength, which translated eventually into our work on the community benefits agreement."¹⁰⁷

On the union side however, there was relatively little movement by organized labor to actively support workforce diversity initiatives, until recently. Unlike cities such as Los Angeles, which had experienced significant union and community coalition building in the 1990s around the living wage and other economic justice campaigns, Portland organized

¹⁰⁶ Ashbrook, Personal Interview.

¹⁰⁷ Ibid.

labor has lacked politically powerful service unions, substantial racial diversity, and significant community ties (most significantly with the African American community). It took visionary work on the part of Portland labor and community leaders to plant the seeds that would ultimately lead to the conception of MAWE. Doug Tweedy, of the Carpenters Union, played a pivotal role to spearhead that cultural change, bringing in Michael Burch as a representative and political liaison for the regional council. Burch had spent almost two decades working in workforce development and alternative education for low-income and minority residents of Portland.¹⁰⁸

The Edith Green-Wendell Wyatt Project Labor Agreement

It was in 2007 and early 2008 that Tweedy, with support from union allies including Nelda Wilson from the Operating Engineers Union, approached former city councilmember Jim Francesconi, about developing project labor agreements in Portland (the Oregon Building Trades, currently led by Jodi Guetzloe Parker, would later join these efforts and become a critical labor partner in the coalition).¹⁰⁹ Francesconi, who had recently moved to the private sector as a partner at the law firm Haglund and Kelly, has a long history in workforce equity advocacy including his work with the Portland Organizing Project, as an elected official, and at Construction Apprenticeship and Workforce Solutions Inc (CAWS).

Francesconi was very receptive and “jumped at the opportunity to work on something positive from the private side.”¹¹⁰ The unions wanted Francesconi to help them develop and implement Project Labor Agreements (PLAs) in Portland, and according to

¹⁰⁸ Burch, Personal Interview.

¹⁰⁹ Francesconi, Personal Interview.

¹¹⁰ Francesconi, Personal Interview.

Francesconi, “my advice to them was there wasn’t going to be any project labor agreements in Portland or Oregon unless there is a genuine partnership with community groups particularly minority communities who are suspicious of labor for historical reasons, and some ongoing reasons.”¹¹¹ With Francesconi on board the unions targeted a PLA for the Edith Green-Wendell Wyatt Building project in Downtown Portland, which was federally funded by President Obama’s American Recovery and Reinvestment Act.

Francesconi’s foresight proved accurate as groups representing communities traditionally excluded by unions opposed the PLA, which even saw national opposition from the National Black Chamber of Commerce.¹¹² Most significantly, there was tremendous local pressure from groups including Oregon Tradeswomen Inc, led by Connie Ashbrook, and the Oregon chapter of the National Association for Minority Contractors (NAMC), led by Maurice Rahming, to make the PLA more inclusive.¹¹³ Rahming, a Portland-based electrical contractor, is the vice president of NAMC nationally and has been consistently involved in workforce diversity efforts both in Portland and nationally.

Rahming and his allies were acutely aware of workforce diversity studies for public projects conducted by a variety of public jurisdictions including the City of Portland, the Port Authority, and Oregon Department of Transportation. These studies illuminated an enormous underutilization of minorities on public projects.¹¹⁴ According to Rahming, “In one report that I was looking at through the city, O’Neil Electric, which is an African American firm, paid more in taxes than the City contracted out to minorities. So in one

¹¹¹ Ibid.

¹¹² Carinci, “Clash over PLAs Grows in Portland.”

¹¹³ Ashbrook, Personal Interview.

¹¹⁴ Rahming, Personal Interview.

sense, one minority contractor paid more in taxes than the city contracted out to minorities in total, which we found pretty appalling.”¹¹⁵

Oregon Tradeswoman Inc. and NAMC, along with other community partners, spearheaded a community-based campaign, engaging many of the community partners that would eventually comprise MAWE, to pressure those negotiating the Edith Green-Wendell Wyatt PLA for increased inclusiveness.¹¹⁶ After a period of intensive conversation and negotiation, the union allies along with Howard S. Wright, the primary contractor, drafted new PLA language for the Edith Green-Wendell Wyatt project, with support from the minority contractors and community partners. This PLA language included a unique carve-out exception, which stated that if you are a minority, or disadvantaged business owner you don’t have to join a union at all.¹¹⁷ This gave equal preference to disadvantaged business enterprises (DBEs), which in addition to ambitious equity goals neutralized much of the community opposition, allowing organized labor in Portland to win a tremendous victory. The approved Edith Green-Wendell Wyatt PLA was the first such agreement on a Federal project under President Obama.¹¹⁸ More importantly, those efforts provided the foundation for historically oppositional interest groups to move forward as allies with recognized shared goals.

The Metropolitan Alliance for Workforce Equity and Community Benefits

Once Edith Green was moving along the newly allied parties adapted a memorandum of understanding between the minority contractors, community groups, and

¹¹⁵ Ibid.

¹¹⁶ Ashbrook, Personal Interview.

¹¹⁷ Francesconi, Personal Interview.

¹¹⁸ Ibid.

union partners and began strategizing about how to scale up their efforts through a template policy that could extend beyond a single project. That memorandum of understanding would form the initial basis for the eventual community benefits agreement, and the coalition began discussions with elected officials and various public owners.¹¹⁹ Out of those discussions the City of Portland emerged as the initial target because of their receptiveness to the coalition and the presence of an applicable public project with the Water Bureau.¹²⁰

The coalition knew that they wanted to develop a broader template agreement that would not only include contracting policy, but would also provide community benefits to be funneled back to minority contractors and pre-apprenticeship programs. Pre-apprenticeship programs play a unique role in providing the workforce pipeline with diverse and well-prepared apprenticeship applicants. Likewise, building capacity amongst DBE contractors to be able to successfully bid on projects is critical to ensuring that workforce diversity goals are met. Additionally, thanks to lessons learned from the South Waterfront development, the Clean Energy Works Oregon community workforce agreement, and the Edith Green-Wendell Wyatt PLA, MAWE recognized that it was vitally important to both expand their coalition, and draft a policy that contractually obligated the contractors on the projects to meet equity standards established.¹²¹ To be able to accomplish these goals MAWE began to evolve both in size and structure.

As the community benefits agreement concept took root, the coalition necessarily evolved to become more inclusive and community oriented. Collectively, MAWE realized

¹¹⁹ Ibid.

¹²⁰ Ashbrook, Personal Interview.

¹²¹ Ibid.

that they could not be a community benefits coalition in name only, and what started out as a largely union led effort, began to become far more democratic and grassroots. This transformation was an effect of both outside community pressure as additional community-based organizations began to actively mobilize, and because of supportive individuals in the unions like Michael Burch who had significant community ties.¹²² Other coalition partners began to play vital leadership roles in this process, with Connie Ashbrook and Bill Kowalczyk of Portland YouthBuilders on the pre-apprenticeship side and Maurice Rahmig on the minority contractor and NAMC side.¹²³ Additionally, Constructing Hope, an organization that primarily works with previously incarcerated African-American men, came on board as a third pre-apprenticeship program partner, led by Pat Daniels.¹²⁴

Broader community based organizations began to play a vital function as well, organizing grassroots support for MAWE. Alan Hipólito of Verde, a primarily Latino environmental and economic justice organization based in Northeast Portland, was a central leader in the initial mobilization of community-based organizations. Further leadership from Debra Lindsay at the Urban League of Portland, and Rey España of the Native American Youth Association (NAYA), provided indispensable political capital as they helped to mobilize significant community outreach.¹²⁵ Additional community groups would later join and become active members of the coalition including farm worker and Latino advocacy groups Hacienda CDC, Pineros y Campesinos Unidos del Noroeste (PCUN), and Causa.¹²⁶ Lastly, the Oregon chapter of Emerald Cities Collaborative, a national

¹²² Kowalczyk, Personal Interview.

¹²³ Francesconi, Personal Interview.

¹²⁴ Kowalczyk, Personal Interview.

¹²⁵ Ibid.

¹²⁶ Francesconi, Personal Interview.

economic and environmental justice organization, led by Casey Barnard, began to play an important intermediary and facilitation role as a policy organization, a role that has been essential to the success of CBA campaigns in other cities.¹²⁷ All of these organizations involved in the evolutionary process of MAWE would prove crucial in building the broad based community support that allowed the CBA to become a community rallying cry and eventually move through City Hall. According to Francesconi, "That (coalition growth) was important because it put a stamp of approval on the CBA and built political capital. When the urban league came and testified at the city council, that was a big deal."¹²⁸

On the minority contractor side of the coalition, Rahming played an indispensable role. The union representatives had spent years meeting and negotiating with NAMC representatives leading up to and through the Edith Green-Wendell Wyatt PLA efforts. Doug Tweedy of the Carpenters, who heads the union in five states, and other labor partners personally met continuously one-on-one with Rahming, and others. However, it took the leadership of Rahming who, according to Francesconi, went "out on a limb saying that we need to do business differently, to eventually bring it to the point that NAMC of Oregon signed on to the agreement."¹²⁹ Along with Rahmig's leadership, others have played significant roles in building organizational support behind the scenes to make the NAMC partnership happen. However there does remain vocal opposition within the NAMC camp from individuals who are not ready to align the organization with union interests.¹³⁰ The expansion of coalition participation and leadership on behalf of community groups and

¹²⁷ Barnard, Personal Interview.

¹²⁸ Francesconi, Personal Interview.

¹²⁹ Ibid.

¹³⁰ Kowalczyk, Personal Interview.

the continued relationship building efforts with the minority contractors happened simultaneously and resulted in a groundbreaking alliance and a formidable political force.

Francesconi again took the lead on drafting the actual policy for the template community benefits agreement. MAWE borrowed language from existing project labor agreements in the region, utilized the existing Edith Green-Wendell Wyatt PLA language, and incorporated workforce equity strategies from the city's south waterfront project, as well as the city of Portland's own diversity strategies on both workforce and minority contracting. In addition, the drafters looked for best practices in the region, particularly on minority contracting from tri-met, and they blended it all together.¹³¹ Interestingly, there was almost zero consultation of national CBA models for the Portland CBA policy, resulting in both positives, namely innovation, but also negatives associated with not incorporating established CBA language. The final product is a unique fusion of a construction careers policy that includes a more significant community benefits component.

The community benefits component is what is most special about Portland's model agreement. The policy, which can be applied to most public projects, rakes off 1-1.5% of the total project financial cost, to be funneled back into the Portland community for a variety of activities. These resources, potentially amounting to millions of dollars will fund both pre-apprenticeship programs that support workforce development in underserved communities, as well as technical assistance for "disadvantaged business enterprise" (DBE) contractors to improve their ability to compete in the public bidding process. The technical assistance concept is not new, according to Ben Beach the legal director for the Partnership for Working Families, "in the more recent construction careers policies (Partnership for

¹³¹ Francesconi, Personal Interview.

Working Families) has tried to work on a platform of helping small minority contractors.”¹³² However, there has never been a CBA or construction careers policy that commits such significant funding to assistance for minority contractors.¹³³ The inclusion of the DBE assistance component to a large extent enabled the most significant outcome of the campaign’s efforts, which is a genuine partnership between community interests and organized unions that have traditionally been political opponents.

Moving forward, MAWE has major aspirations as well as challenges to build upon what has already been achieved. The coalition has evolved from a loosely affiliated group of allies, with little political clout both because of the nontraditional nature of their partnerships as well as their lofty goals, to a major political force supported broadly by both Portland communities and elected officials. Unanimously coalition partners acknowledge that their greatest achievement was moving, over a relatively short period of time, from oppositional positions to advocating not only for their personal interests but more so for the coalition’s shared goals. According to Rahming:

For me it was interesting when you had partners outside of the room, whether that was labor... or community people that couldn’t make a meeting, and you had labor arguing aggressively for the utilization of minorities and diversification (and community people likewise supporting the unions). That’s when I knew we had something special when everyone was saying this is important for the interest of the coalition beyond their own piece of the pie.¹³⁴

In the last election cycle the mayoral candidates and councilmember candidates universally supported the CBA.¹³⁵ Those involved with MAWE unanimously agree that the coalition’s

¹³² Beach, Personal Interview.

¹³³ Ibid.

¹³⁴ Rahming, Personal Interview.

¹³⁵ Francesconi, Personal Interview.

capacity for future success is almost limitless. The policy that the group developed was always meant to be a template policy, a unique concept, that allows the policy to be applied not only to numerous projects in the city but could be brought to additional jurisdictions. Some of those talks are already underway, but seem to be somewhat preemptive.

Current Efforts

While the policy was successfully passed through city council on September 5th, 2012, there is still a tremendous amount of work to be done to ensure successful implementation and compliance. MAWE's ability to scale up their work to target additional jurisdictions or even additional city projects depends largely on the success of the initial application of the CBA to the two Water Bureau projects totaling \$100 million. This requires continued work on various fronts. For one, the research and tracking systems of the diversification data must be streamlined in collaboration with the public owners, in order to credibly show results in improved workforce equity. Additionally, the fund distribution program must be developed to effectively support those organizations that will be contributing to increased minority utilization and workforce development efforts.

Critical to these implementation and compliance efforts is the work done in City Hall by the oversight committee, which is comprised of MAWE representatives, public owners, and the prime contractors. This committee meets monthly to review the data concerning the documented diversification numbers. These reviews help to identify what continues to be needed in terms of stabilizing the pipeline. For example, this committee recently identified that prime contractors were not releasing sub-contracting information early

enough or with sufficient requirement details to allow small DBE contractors to successfully bid.¹³⁶

Parallel to that work, it will be important to match new training and union placement with the jobs that are created through the projects covered by the CBA. Lastly, to ensure successful implementation and growth there must be constant work on increasing MAWE's capacity, both through strengthening its organizational structure and as well as improving rank and file support within coalition partner memberships, most importantly NAMC and the various unions. Recently, Emerald Cities Collaborative has committed significant financial resources to the campaign to provide for outside technical assistance through Partnership for Working Families, which has tremendous expertise in many of these areas that must be immediately addressed.¹³⁷

Findings/Analysis

As described in the introduction of this paper, this study seeks to answer the following research questions: How does the Portland MAWE coalition exemplify the national trend of building labor movement power through coalition building with community interests around local policy and private agreements? What are the strengths and challenges of MAWE's community benefits campaign?

The Portland "Model Community Benefits Agreement" is an excellent example of how organized labor nationally has regained some of its former strength by putting an emphasis on alliance and coalition building with community interests to advocate politically on behalf of working people, particularly those in historically underserved

¹³⁶ Kowalczyk, Personal Interview.

¹³⁷ Barnard, Personal Interview.

communities. The policy has provided common ground between minority contractors, the African American community, other community-based organizations, and unions, which have traditionally been political opponents in Portland. The Portland model CBA is a unique document, in that it combines what is traditionally considered a construction careers policy (based on workforce access and equity) with community benefits, designating a significant portion of every public project's total cost to be funneled back into the community to fund a variety of activities.

This fusion of distinct policy tools is part of a national trend of the evolving use of the community benefits concept.¹³⁸ The funding secured from the policy will not only help stabilize the pipeline to construction careers through workforce development programs, but also will provide funding for technical assistance for minority contractors to improve equity in the public bidding process. These programs have rallied broad-based community support for a policy that through its PLA and pre-apprenticeship components represents a tremendous increase in strength for organized trades unions, and should support gains in regional union density. However, the reality of union political work in the local context is that it has to be a part of a broader national strategy. According to legal scholar Scott Cummings:

What works in Los Angeles is not necessarily going to work in Boise and you may be moving towards a situation where you have the ability to influence union density in progressive cities and states and you have no leverage at all in places that are conservative (and opposed to unions) and that leaves out a lot of workers. The more optimistic scenario is that if you are able to increase density in these blue regions you are able to increase overall power in a way that allows (the labor movement) to go back up to the national scene and fix the problems that have been stymied union organizing.¹³⁹

¹³⁸ Beach, Personal Interview.

¹³⁹ Cummings, Personal Interview.

Strengths

The MAWE coalition has won an impressive victory in a relatively short period of time, passing a policy that in name is a community benefits agreement, but combines components of a construction careers policy with additional benefits provided to the community. All of the coalition partners unanimously agreed that their greatest success and what was most exciting about MAWE was the ability for coalition partners to overcome long standing historical differences to find common ground. The policy, which should be attached to all applicable city projects, contains a project labor agreement component ensuring the hiring of union contractors, while establishing an exception for Disadvantaged Business Enterprise (DBE) contractors, giving those contractors equal preference. Additionally, there is an allocation of 1-1.5% of total project cost to be directed to pre-apprenticeship programs and technical assistance for minority and women certified contractors (DBEs). This unique combination of various labor/community policy models is path breaking in the field of CBAs.

The policy has real potential to improve the stability of the pipeline for low-income communities to middle class trades jobs, by not only improving funding for pre-apprenticeship and workforce development programs, but also by matching that training to jobs created by the city. This CBA is especially significant because of its template nature and its capacity to be applied to additional targets. All subjects interviewed agreed that the potential for the MAWE coalition is still enormous, with both additional jurisdictions and even potentially private sector work.

Challenges

There is still significant work to be done around building coalition capacity. Most importantly, this requires establishing a more clear understanding of individual partners' roles within a more formal organizational structure, in order to effectively integrate the work being done on multiple fronts. Additionally, establishing a successful implementation and monitoring program is the most important current challenge being addressed, and will be necessary for the initial projects in order to build political capital sufficient to target new jurisdictions and potentially private developers. A significant barrier to this work has been the gap between the political visionaries including the mayor, city council, and MAWE, and the city employees and public owners who have to work collaboratively to implement a new contracting protocol involving the MAWE coalition. Bridging this gap has been a sometimes-tedious process for all involved. However, an emerging collective will to improve workforce equity and training seems to be prevailing.

Underling all of the implementation and compliance efforts is the reality that the coalition's biggest achievement also remains its most significant challenge. There is lingering distrust and difficult relationship dynamics due to years of political opposition within the coalition that must be improved upon to reach the coalition's full potential. These dynamics extend beyond those leaders actively involved with MAWE to the rank and file members of the organizations that those partners represent. Most significantly, the labor organizations are subject to leadership changes, which could affect their ability to maintain stable participation in the coalition. According to Dan Clawson:

The most serious limitation of the "new" labor movement, a limitation closely related to the related to the problems with debate and democracy, is the failure to empower or activate the rank and file... The talents that brought

progressive labor leaders to power are not the same talents that would be needed to lead a rank and file movement from below.¹⁴⁰

Likewise, there are significant factions of NAMC and related interests that remain opposed to collaboration with organized labor. Addressing this requires dealing with the social tensions of sexism and racism in a manner that builds cross-movement solidarity behind common interests like access to good jobs, training and benefits. While, there must be a conscious effort to continuously work on those dynamics, more significantly the capacity to affect tangible socio-economic change has been an overwhelmingly unifying force. What has been accomplished in a short period of time in terms of overcoming past differences, far outweighs lingering problems and offers a great deal of optimism for additional labor/community coalition building both in Portland and nationally.

Recommendations

The recommendations offered for MAWE moving forward derive from what is deemed necessary to meet and overcome lasting challenges. Primarily, these recommendations either address the implementation and compliance process, which is currently under way, or coalition capacity building, which must constantly remain a focus of the MAWE partners.

- Labor unions are subject to dramatic leadership change, thus MAWE must prioritize mobilization amongst the rank and file of the labor partners to build more grassroots support for the CBA efforts. Individuals within the unions such as Michael Burch in the Carpenters are leading these efforts on the ground, but could

¹⁴⁰ Clawson, *The Next Upsurge*, 46.

use broader support. According to Burch, “I’ve been meeting with our members educating them, meeting with our training center educating them... It’s about education and how you present the changing (workforce) circumstances... because no one likes change.”¹⁴¹ Facilitating educational workshops framed around the importance of diversification, in order to build a stronger labor movement that reflects changing demographics, can support these efforts. These inclusionary efforts build mutual solidarity between communities of color and organized labor, resulting in PLAs and an increased number of union jobs. Additionally, better communication and integration of the rank and file into the CBA efforts being spearheaded by union leadership is essential to building bottom-up support.

- Better functioning systems need to be established between the pre-apprenticeship programs and the union apprenticeship programs to cohesively work together to meet the demand stimulated by the CBA policy. This would be an alternative to the pre-apprenticeship programs having to lobby to place students and would enable cooperative and mutual capacity building. It is critical that the workforce development pipeline is strengthened in order to reach diversification goals.
- Likewise, a functioning support system must be established for providing technical assistance to disadvantaged business enterprise contractors through financial resources and mentorship that builds their capacity. The minority and women certified contractors must reach a capacity that allows them to be able to bid on the projects so that those projects meet diversification goals.

¹⁴¹ Burch, Personal Interview.

- Much of the Portland CBA efforts to this point have occurred without consideration of national best practices and expertise located in other regions. While MAWE has recently contracted with Partnership for Working Families to provide expert consultation for the establishment of the fund distribution system, and other immediate challenges, the coalition should continue to aggressively pursue collaborative relationships within national networks of CBA practitioners that can provide sustained support.
- Constant work must occur to line up additional jurisdictions with new projects that would be covered by a CBA, generating sustained financial resources and further strengthening the pipeline to middle class construction jobs. Jurisdictions being considered include Metro, Portland Public Schools, and the state.
- MAWE representatives and especially those on the oversight committee must constantly be meeting with elected officials and public owners to ensure sustained personal investment. MAWE needs champions in City Hall to aggressively advocate on their behalf, ensuring that the city will hold up their end of implementation efforts on every applicable project.
- To build coalition capacity to be a more effective organization MAWE must refine clarity around governance and decision making procedures. This should include a two-year “business plan” for MAWE staffing to support the ongoing coordination of continuing work and building organizational structure. Additionally, the coalition should designate certain specific roles including a lead organizer.
- A procedure should be established to include additional coalition partners. This will become more important if the coalition at some point identifies more ambitious

targets. CBAs are judged largely on their inclusiveness and while the initial coalition building process held up to this measurement, continued work must be done to ensure constant community outreach in order to avoid becoming an insular coalition.

- Relationship dynamics within the coalition and lingering distrust remains a challenge. Now that the coalition has overcome those challenges in the context of securing signing partners and passing the policy, those dynamics must be discussed in the context of sustaining the organization as a political force. Formal discussions should be held identifying what each partner needs from the other coalition members in order to sustain strong trusting relationships.
- A media strategy needs to be developed to bring the values and benefits of this process into broader political dialogue within Portland communities. This is also important to neutralize the developing opposition to the PLA-CBA concept from non-union firms, which up until this point have had remarkably limited vocal opposition.

Conclusion

The Portland Community Benefits campaign is an excellent example of shifting labor movement strategy, which over the last two decades has continuously increased its emphasis on local political work, creating powerful coalitions with non-traditional community allies to advocate for economic justice policies including living wage laws, construction careers policies, and community benefits agreements. The political work of Portland's Metropolitan Alliance for Workforce Equity illuminates the evolving nature of

once disparate policy tools. Their incorporation of the community benefits agreement concept into a template city policy that promotes construction careers offers real potential to both increase the access of underserved communities to the construction industry as well as increase the overall regional union density. Moving forward the coalition must address immediate challenges around policy implementation and compliance as well as longer-term cultural barriers to their workforce diversity efforts. However, the Portland case study illuminates the tremendous potential for the labor movement to regain its strength by embracing changing workforce demographics and creating genuine partnerships with community interests.

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