

## Tacoma Community Workforce Advisory Committee

### Meeting Summary from February 27, 2019

Action items are underlined; follow up tasks are noted in ***bold font italicized text***.

<b>MEETING ATTENDANCE</b>					
<b>Advisory Committee Members:</b>					
Tim Attebery	✓	Frank Lemos	✓	Billie Otto	✓
Yolanda Brooks	✓	Mark Martinez	✓	Loren Pease	
Martha Cerna		Michael Mirra		Lyle Quasim	✓
James Faison	✓	Marilynn Moch	✓	Justin Satiacum	
Eric Frank		Korbett Moseley		Halene Sigmund	
Nathaniel Lawver	✓	Doug Sibert (Alt.)	✓	Michael Tucci	✓
Adriana Gamboa (Alt.)	✓				
<b>Staff and Others:</b>					
Tadd Wille	✓	Steve Victor	✓	Reid Bennion	
Jeff Jenkins	✓	Martha Lantz	✓	Nick Anderson	✓
Daniel Murillo	✓	Clifford Armstrong	✓	Karen Reed	✓
Terry Ryan		Patsy Best	✓	Linda Nguyen	
Eric Alozie	✓				

**Welcome, Introductions.** Co-Chair Mark Martinez convened the meeting at 9:31 M

**Approval of Meeting Summary.** Co Chair Martinez called for approval of the agenda; the agenda was approved by voice vote.

#### Standing Items.

- **Meeting summary.** Karen asked for any additions or corrections to the February 19 meeting, noting that Arti O'Brien's name will be corrected on page 1. The meeting summary was approved.
- **Committee questions.** Clifford Armstrong spoke briefly to the question about the City's section 3 program. A plan was developed a couple of years ago but never adopted.
- **Meeting 7 for Committee.** Karen outlined the work remaining and the need for an additional meeting; the group concurred that this will be needed; the CO-Chair's will send a short note making this request to the City Manager. Meeting 7 will be 9:30-noon, on Wednesday, March 27, in the same location—Room 16 of the Tacoma Municipal Building North.
- **Tracking list:** These items are in the ballot we will discuss later

**Recap of existing city programs promoting hire of residents of economically distressed areas and WMBEs.** Clifford Armstrong presented. Discussion points included:

- If the City's goal is to promote WMBE hiring, a CWA is not necessary
- There is a process to create hiring goals, but it needs to be narrowly tailored to meet legal requirements
- Discussion concerning the SBE goals, and how a 0% bid can be responsive; Clifford and Karen point out that means to address these goals have been put forward in the running list of possible actions.

**Other jurisdictions with CWAs.** Karen noted that information could not be found a CWA in Louisville, and Los Angeles and King County have PLAs, not a CWA. Martha Lantz summarized her findings with respect to the Santa Anna CWA adopted in 2017—her notes are based on online research as she was unable to connect with the Santa Anna staff person.

**Discussion of the Draft CWA**

Discussion points will be transcribed by Karen and summarized for review by the committee at the next meeting. Discussion points included:

- Why does Tacoma feel it should be at the forefront of this policy area? How did the Council arrive at this idea to do a CWA? Steve Victor noted that “traditional” CWA’s don’t address the goals for hiring WMBEs, so the goal is to both promote local hiring and expand hiring of WMBEs. CWAs were seen by Council to meet both goals
- Article 3—Apprenticeships
  - “Carve outs” are intended to avoid harming WMBEs
  - Need to define apprenticeship, but main concern was whether they would have to go through the Union Hall
- Article 4 --Veterans Employment
  - The large military presence in our area makes this provision particularly important
  - Is this an add-on to the other requirements? A: Yes.
  - Provision may increase the incentive, but doesn’t preclude other goals
  - Economically distressed ZIP Codes are not exclusive to City limits
  - “Aren’t there distressed workers everywhere?”
  - The zip codes helps find workers in areas that may have been pushed out of other areas
  - ZIP codes only are the first place to look
  - “best effort” clause needs definition, gives staff a lot of discretion which is worrisome
  - SBEs don’t have the tools they need, especially in apprentices searches

- Article 5 - Priority Hire
  - 1 in 5 from pre-apprentice programs? How does that work with Unions? A: All these programs must meet state requirements, whether Union run or not.
  - It is difficult to find enough qualified labor.
  - Contractors worry about added goals and worry that Unions just give names without vetting.
  - This would work for me as a contractor, if the City paid for it.
  - I am opposed to section 5.3
  - Will all labor unions will be signatories? A: Yes, that is the intent.
  - This provision would allow them to allow Unions to expand upon their pre-apprentice referrals.
  - is anything missing, are there unintended consequences? A: There may be some transparency challenges, but the point is fairness in the process
  - I can't see how this Article would NOT harm WMBEs.
  - The CWA should avoid telling contractors how to meet goals and just identify the goals. In this sense, section 5.4 is problematic. Contractors should have freedom to choose
- Article 6 and 7
 

Steve Victor noted these Articles include the most significant departure from other CWAs by eliminating any union requirements. Non-union contractors can bring their own employees, non-union workers to the site without limitation.

Comments included:

- I support this approach.
- Open shop contractors would not be required to sign agreement
- This gives an advantage to non-union shops.
- These articles are not acceptable to the trades unions; we can give up some rights, but we don't get enough in return for our investment in apprenticeship programs here.
- Being a union laborer doesn't help communities gain wealth. Strengthening WMBEs should be the focus and Unions don't necessarily help with that goal. I think CWAs don't help increase WMBE/minority hiring
- A carve out in requirements for WMBE's may be feasible in a CWA.
- What would unions propose in lieu of Articles 6 and 7? Mark Martinez would prefer a hiring ordinance on WMBEs, with goals, and not include this in the CWA. A carve out is plausible but not perfect.
- A carve out should "move the needle" on WMBE and minority hiring, as measured against the Disparity Study.
- A carve out is the only way to ensure benefits go to WMBE firms.

- Do Sections 6.2 and 6.3 run afoul of the NLRA? A: Steve Victor does not have an opinion on this. There is some risk, but that should not constrain what the committee recommends.
- Why is the steward language here? A: It's residual from the Seattle CWA. It could be removed.
- Remove the steward language; it won't apply to non-union shops and may conflict with my collective bargaining agreement.
- Article 8
  - What is the process for non-union shop? A: Not clear.
  - The document needs to include language to resolve union jurisdiction disputes.
    - Recommends an addition
- Article 9
  - Time length of 5 years seems appropriate.
  - There should be a sunset/re-evaluation after some period, but shorter may be better, like 3 years.
  - Clifford Armstrong noted he thinks 3 years would be the bare minimum term
  - Unions may be amenable to a sunset, but believes 5 years is better so that apprentices can work their way through onto journeymen
  - If goals are not met, the CWA should be re-evaluated
  - Unions want to meet goals and ensure accountability
  - Aspirational goals have not been adequate
  - Agree, aspirational goals have not been adequate
- Tim Attebury makes a suggestion to only proceed by consensus at this point. There was significant disagreement from the members. Karen outlined the process in the charter that the group previously approved.

**Karen asked the group to weigh in generally on what they like about the agreement and what approach they would each prefer?**

**Option 1: Adopt a CWA that is similar to the approach taken by Seattle.**

*Preferred by 3 members (Martinez, Quasim, Brooks)*

- Prefers Seattle approach with WMBE goals in separate ordinance
- Prefer Seattle but with a strong carve out for WMBEs
- We need priority hire for local residents; it doesn't need to be exactly like Seattle, but I want to see a CWA.

**Option 2: Draft CWA Prepared by Staff**

*Preferred by no members.*

### **Option 3: No CWA**

*Preferred by 8 members (Otto, Tucci, Attebery, Lemos, Moch, Sibert, Adriana, Faison), plus E. Alozie (non-voting)*

- Strengthen LEAP program, local hire ordinance and WMBE ordinances
- Trying to meet all goals in a single document makes it weak.
- Better for small contractors not to have a CDWA
- I don't see how the carve out of WMBE's will work

**Non-CWA Proposals.** Karen reviewed ballot that will allow members to rate their support for several dozen ideas that relate to the hiring goals identified by Council but do not involve a CWA. Additional ideas should be conveyed to Karen by noon, Friday March 1. Ballots will be sent out in excel spreadsheet format on March 1; responses due Friday, March 8.

Yolanda passed out a handout describing an Attorney General approved process to create race and gender conscious goals and not run afoul of I-200.

The meeting was adjourned at 11:48 a.m.