



Health Housing and  
Community Services Department  
Labor Standards Enforcement

## Community Workforce Agreement (CWA) Procedures

### STEP 1

#### GENERAL CONTRACTOR AND SUBCONTRACTORS

- Review the current City of Berkeley Community Workforce Agreement (CWA)
- Sign an Agreement to be Bound (ATB) to the terms of the CWA

*Note: All general contractors and all sub-contractors, including trucking, and regardless of tier or scope, must sign an Agreement to be Bound to the CWA.*

- Send the signed ATBs to the City's project manager

### STEP 2

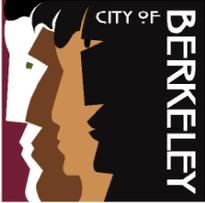
#### CITY PROJECT MANAGER

- Fill out a Pre-Job Request Form for the project
- Collect all ATBs from general contractor and subcontractors
- Send completed Pre-Job Request Form and all ATBs to City of Berkeley Labor Standards Enforcement staff at [localhire@berkeleyca.gov](mailto:localhire@berkeleyca.gov)

### STEP 3

#### CITY LABOR STANDARDS ENFORCEMENT STAFF

- Collect Pre-Job Request form and all ATBs from the City project manager
- Request a Pre-Job Meeting with the Alameda County Building and Construction Trades Council (BTC) by emailing Pre-Job Request Form and all ATBs to [prejobs@btcalameda.org](mailto:prejobs@btcalameda.org). Copy the City project manager but not the contractor or subcontractors
  - *Pre-Job Meetings should be held at least **21 work days** before the work commences.*
  - *Every subcontractor performing work on the project must have a representative attend the Pre-Job Meeting to avoid delays to the start of the project.*



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- *No subcontractor that is not already listed on the Pre-Job Request form can be added to the Pre-Job Meeting without BTC's prior approval.*
- Confirm date of meeting sent from BTC with the City project manager and the general contractor.

*Note: BTC does not accommodate requests for specific alternative times. BTC will select a new time if the one offered does not work for the City and the contractors*
- Inform BTC of the confirmations. Include the email addresses of the City project manager, the general contractor, and the subcontractors to ensure that BTC sends a Pre-Job Meeting invitation to all relevant parties.
- BTC will send out a meeting invite to all email addresses were included in the Pre-Job Request Form. LSE staff will confirm that BTC included all relevant parties.

#### **STEP 4**

#### **CITY PROJECT MANAGER, GC AND SUBCONTRACTORS, CITY LABOR STANDARDS ENFORCEMENT STAFF**

- Attend Pre-Job Meeting with BTC and the Unions. What to expect:
  - BTC asks the following questions of the contractor and each subcontractor:
    1. Name and contact information of contractor/subcontractor
    2. Scope of the work for contractor/subcontractor
    3. Estimated start date for contractor/subcontractor
    4. Estimated length of time on the project for the contractor/subcontractor.
    5. Craft assigned for the work (hint: which union, ex: Laborers, OE, Masons, etc.)
    6. How many of each craft during the peak of work?
    7. Teamsters usually ask all subcontractors about trucking.
  - After each contractor and subcontractor describes the scope of their work, BTC will ask the Union reps if they have any questions. After discussion, BTC will ask the Unions if they claim any of the work.
- During the meeting, contractors and subcontractors should exchange contact information with the Union reps who have claimed the work they will be performing.



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## **STEP 5**

### **GENERAL CONTRACTOR AND SUBCONTRACTORS**

- Complete Hiring Plan document prior to the Notice to Proceed date and send to City Project Manager and Labor Standards Enforcement staff ([localhire@berkeleyca.gov](mailto:localhire@berkeleyca.gov)). The Hiring Plan is used as baseline information, and it is understood that the workforce may change during the project.

## **STEP 6**

### **GENERAL CONTRACTOR AND SUBCONTRACTORS**

- Use the Unions' Job Referral Systems to hire workers for the project. Contractors can fulfill their local hiring obligations by emailing the Union to request that Berkeley Residents be referred first if any are available on the Union's referral list. Submit a copy of that email and the Union's response to [localhire@berkeleyca.gov](mailto:localhire@berkeleyca.gov).
- Please refer to the **Article 8** of the CWA for hiring and referral requirements. Excerpts below:

#### **8.1 REFERRAL**

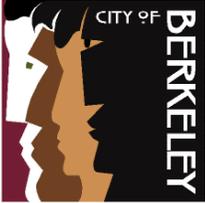
8.1.1 "Contractor (s) performing construction work on the Projects described in the Agreement shall, in filling craft job requirements, utilize and be bound by the registration facilities and referral systems established or authorized by the Unions signatory hereto ("Job Referral System")."

#### **8.2 LOCAL HIRE**

8.2.1 "To the extent allowed by law and consistent with the non-discriminatory referral procedures of the Union hiring halls, the Parties agree to a goal that Berkeley Residents will perform a minimum of 20% of the hours worked, on a craft by craft basis for the Projects. The Contractor(s) shall make good faith efforts to reach this goal through the utilization of the Unions' hiring hall procedures."

#### **8.2.3 APPRENTICESHIP & WORKFORCE DEVELOPMENT**

"Consistent with the requirements of California Labor Code §§ 1776, 1777.5 and 1777.6, Contractor(s) will be required to hire 1 New Apprentice Berkeley resident as for every \$500,000 dollars or more of total construction bid amount. The New Apprentice(s) must work a minimum of 10% of the projects work hours. The contractor may deploy the apprentice to work on another concurrent project in order to meet the minimum hours, and those hours will be counted towards the total hours of the craft on the Berkeley project..."



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## **STEP 7**

### **GENERAL CONTRACTOR**

- Submit completed CWA Community Workforce Utilization Report (CWA-CWUR) with the Certified Payroll by the 25<sup>th</sup> of each month by sending it to [localhire@berkeleyca.gov](mailto:localhire@berkeleyca.gov). This report is to record the total number of hours worked by Berkeley residents. The report must include:
  1. Data on Berkeley Resident's work hour utilization on a craft by craft basis
  2. The number of New Apprentices hired and the hours they have worked
  3. Documentation showing any requests made to the union dispatchers for Berkeley Residents and the Union's response to the request.

### **RELATED DOCUMENTS**

- 1. Community Workforce Agreement (CWA)** between the City of Berkeley and the Building and Construction Trades Council of Alameda County (BTCA)
- 2. Agreement to Be Bound (ATB)** to the terms of the CWA
- 3. Pre-Job Request Form**
- 4. Hiring Plan Template**
- 5. Community Workforce Utilization Report (CWUR) Template**