



Health Housing and
Community Services Department
Housing & Community Services Division



Community Workforce Agreement (CWA) Procedures

The CWA's purpose is to support the City's efforts to increase employment opportunities for workers who reside in Berkeley by:

- Increasing training and employment opportunities for the City's residents in the construction trades through apprenticeship and pre-apprentice programs,
- Promoting efficiency of construction operations performed for and within the City of Berkeley, and
- Providing for peaceful settlement of labor disputes and grievances without strikes or lockouts, thus promoting the public interest in assuring the timely and economical completion of the projects.

STEP 1

CONTRACTOR(S) AND SUBCONTRACTOR(S)

1. Review the current City of Berkeley Community Workforce Agreement (CWA) (Attachment 1 )
2. Sign an Agreement to be Bound (ATB). (Attachment 2 )
 - ! a. All general contractors and all sub-contractors, including trucking, and regardless of tier, must sign an Agreement to be Bound to the CWA.
NOTE: This agreement binds the contractor to the terms of the CWA for the awarded project only. It does not bind any contractor to a union agreement for any other project.
3. Send the signed ATB's to the City's Project Manager.

STEP 2

CITY PROJECT MANAGER

4. Send completed pre-job meeting request (Attachment 3 ) form and all ATBs, to the Building and Construction Trades Council of Alameda County (BTCA) at the following email address : prejobs@btcalameda.org and copy Housing and Community Services (HCS), Employment Programs at  (localhire@cityofberkeley.info) in the pre-job meeting request email, but *not* any of the contractors or subcontractors.



A Vibrant and Healthy Berkeley for All

2180 Milvia Street, 2nd Floor, Berkeley, CA 94704 Tel: 510.981.5400 TDD: 510.981.6903 Fax: 510.981.5450
E-mail: HHCS@cityofberkeley.info



Health Housing and
Community Services Department
Housing & Community Services Division

Community Workforce Agreement (CWA) Procedures

- a. All efforts will be made to hold the pre-job conference in sufficient time to ensure all parties the ability to properly raise and resolve any issue that may arise out of such meeting, ***with a goal that such conferences will be held at least 21 work days before the work commences.***
 - ! **NOTE:** No subs can be added to the meeting that are not on the pre-job request, without BTCA's approval prior to the meeting.
5. Confirm date of meeting sent from BTCA with the prime/general contractors.
NOTE: If the date selected by BTCA for the pre-job does not work for the contractors, subs or anyone in the City attending the meeting, then BTCA will select a new time. BTCA does not accommodate requests for alternative times. Simply inform BTCA that the time does not work and BTCA will provide an alternate time.
6. Inform BTCA  (prejobs@btcalameda.org) of the confirmations. When confirming, and only when confirming, not when rejecting the proposed meeting time (see note above), please include the email addresses of the relevant parties to attend the confirmed pre-job meeting.
NOTE: In the past the other relevant parties have been the Public Works supervisors, prime/general contractors and subcontractors. If someone's email address is not copied in the email or in the Pre-job request form, then BTCA will not include that person in the meeting invite.
7. BTCA  (prejobs@btcalameda.org) will send out a meeting invite to all people who had email addresses included in the pre-job request form.
 - ! **NOTE:** As stated in the pre-job request form, BTCA requires that all parties confirm the date of the meeting at least 48 hours prior to the meeting time. If you are unable to do this they will have to reschedule the meeting.

STEP 3

CITY PROJECT MANAGER, CONTRACTOR(S), SUBCONTRACTOR(S), CITY EMPLOYMENT PROGRAMS REPRESENTATIVE

8. Attend pre-job meeting with BTCA and Unions
 - a. What to Expect:
 - i. BTCA asks the following questions of contractor(s) and subcontractor(s):
 1. Name and contact information of contractor/subcontractor & person representing the contractor/subcontractor.
 2. Scope of the work for contractor/subcontractor
 3. Estimated Start date for contractor/subcontractor

A Vibrant and Healthy Berkeley for All

2180 Milvia Street, 2nd Floor, Berkeley, CA 94704 Tel: 510.981.5400 TDD: 510.981.6903 Fax: 510.981.5450
E-mail: HHCS@cityofberkeley.info




Health Housing and
Community Services Department
Housing & Community Services Division

Community Workforce Agreement (CWA) Procedures

4. Estimated length of time on the project for the contractor/subcontractor.
5. Craft assigned for the work (hint: which union-laborers, OE, masons, etc)
6. How many of each craft during the peak of work?
 - ii. Teamsters usually ask all subcontractors about trucking.
 - iii. BTCA will ask the Union reps throughout the pre-job (after each contractor and subcontractor describes the scope of their work) if they have any questions.
 1. The final BTCA question of the Unions, after each contractor & subcontractor discussion, will be if any of the Unions claim the work.

STEP 4

CONTRACTOR(S) AND SUBCONTRACTOR(S)

9. Complete Hiring Plan (Attachment 4 ) prior to the Notice to Proceed date, with the understanding that the workforce may change during the project, and send to the City's Project Manager.
 - a. The hiring plan is used as baseline information, with the monthly workforce utilization reports, certified payroll and dispatch request documentation serving as confirmation of good faith efforts to hire locally.
 - ! b. Please refer to the CWA for hiring and referral requirements. You may find many of these requirements in **Article 8 Referral and Local Hire Program**, Sections:

- **8.1 REFERRAL See 8.1.2 to 8.1.5 for more details.**

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"). Such Job Referral System will be operated in a non-discriminatory manner and in full compliance with all federal, state, and local laws and regulations, including those which require equal employment opportunities and nondiscrimination."

- **8.1.6 CORE EMPLOYEES See 8.1.7 to 8.1.8 for more details.**

A Vibrant and Healthy Berkeley for All

2180 Milvia Street, 2nd Floor, Berkeley, CA 94704 Tel: 510. 981.5400 TDD: 510.981.6903 Fax: 510. 981.5450
E-mail: HHCS@cityofberkeley.info



Health Housing and
Community Services Department
Housing & Community Services Division

Community Workforce Agreement (CWA) Procedures

“All parties agree to make a good faith effort to refer on a priority basis, consistent with the non-discriminatory referral procedures of the hall, qualified and available, and bona- fide Berkeley Residents for Project work.”

- **8.2 LOCAL HIRE See 8.2.1 to 8.2.2 for more details.**

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. The Unions shall exercise their best efforts in their recruiting and training of Berkeley Resident workers and in their hiring hall procedures to facilitate this 20% goal on the Projects...”


- **8.2.3 APPRENTICESHIP & WORKFORCE DEVELOPMENT See 8.2.3 A) – 8.2.3 C) for more details**


A) “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...”

STEP 5

CONTRACTOR(S) AND SUBCONTRACTOR(S)

10. Submit completed CWA Community Workforce Utilization Report (CWA-CWUR)

(Attachment 5 ) with the Certified Payroll by the 25th of each month by

sending it to HCS, Employment Programs at  (localhire@cityofberkeley.info).

- c. The report is used by the general contractor (GC) for reporting the summary of the total work hours and total number of Berkeley residents employed. The GC will submit this report with each certified payroll (CP), including CP for each subcontractor. The GC can compile the report for the subcontractors or can require each sub to prepare their own report.
- d. Please include, at a minimum, 1) data on Berkeley Resident’s work hour utilization on a craft by craft basis, 2) number of New Apprentices hired

A Vibrant and Healthy Berkeley for All

2180 Milvia Street, 2nd Floor, Berkeley, CA 94704 Tel: 510. 981.5400 TDD: 510.981.6903 Fax: 510. 981.5450
E-mail: HHCS@cityofberkeley.info



Health Housing and
Community Services Department
Housing & Community Services Division

Community Workforce Agreement (CWA) Procedures

- 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.
- e. This report will be reviewed by the Joint Administrative Committee (JAC) to monitor compliance of the local workforce hiring goals. The JAC may periodically request contractors to attend a JAC meeting to describe and discuss their local hire efforts.
 - i. The JAC is comprised of up to two (2) representative selected by the City; up to two (2) representatives of the signatory Unions and BTCA; and one (1) contractor representative, mutually selected by the City and the BTCA. Each representative shall designate an alternate who shall serve in his or her absence for any purpose contemplated by this Agreement. The Joint Administrative Committee shall meet regularly to review the implementation of the Agreement and the progress of the Projects including, but not limited to, compliance with Article 8, prevailing wage, safety, craft workforce levels and construction progress. The JAC may contact the Contractor and/or their subcontractors in writing to request their presence at a JAC meeting to describe good faith efforts throughout the project or at the end of a project.

*Joshua Oehler
Community Services Specialist III
Department of Health, Housing and Community
Services*

*2180 Milvia, 2nd floor
Berkeley, CA 94704
localhire@cityofberkeley.info
(510) 981-5400*

A Vibrant and Healthy Berkeley for All

2180 Milvia Street, 2nd Floor, Berkeley, CA 94704 Tel: 510. 981.5400 TDD: 510.981.6903 Fax: 510. 981.5450
E-mail: HHCS@cityofberkeley.info