

**MOTION BY MAYOR ANTONIO R. VILLARAIGOSA & SUPERVISOR MARK
RIDLEY-THOMAS & RICHARD KATZ
AS AMENDED:**

Item 31 – Construction Careers Policy/Project Labor Agreement

September 15, 2011

I MOVE THAT the MTA Board of Directors adopt the following framework for the MTA Construction Careers Policy/Project Labor Agreement Principles:

1. The purposes of the Construction Careers Policy and Project Labor Agreement (CCP/PLA) are the following:
 - A. The reduction of poverty and unemployment through targeted hiring strategies focused on areas of high unemployment and individuals with barriers to employment, including, where permissible, areas within MTA's jurisdiction.
 - B. Ensure avoidance of work stoppages due to labor disputes.
2. The CCP/PLA will apply to MTA Construction Projects included in the Long Range Transportation Plan, subject to negotiations with the Los Angeles and Orange Counties Building and Construction Trades Council (the "Council").
3. MTA will work with U.S. Department of Transportation to develop appropriate targeted hiring measure for federally-funded projects.
4. MTA will negotiate a master CCP/PLA with the Council. Each contractor engaged in MTA construction projects will be subject to the terms and conditions of the CCP/PLA for the duration of the project to which it applies.
5. The CCP/PLA will include targed hiring requirements of not less than 30% targeted zip codes with 10% disadvantaged workers. On federally-funded projects, the contractors will meet the requirements through a tiered approach as follows:

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- A. First, residents of Extremely High Unemployment Zip Codes;
- B. Second, residents of High Unemployment Zip Codes;
- C. Simultaneously, Disadvantaged Workers.

On non-federally funded projects, the first tier shall be high unemployment zip codes within 5 miles of the construction site.

- 6. Adopt California law as it relates to the employment of apprentices.
- 7. Under the Project Labor Agreement, the unions will be the primary source of all construction labor.
- 8. The parties to the PLA will negotiate over, and the Construction Careers Policy will address, the procedures to facilitate hiring of targeted workers, including working with the contractor's jobs coordinator, referral of targeted workers regardless of their places in the hiring hall list, encouragement of entry by targeted workers into union apprenticeship programs and the number of core workers to be employed on the project.
- 9. If and when any contractor does not comply with the terms of the CCP/PLA, liquidated damages will be assessed until violations have been cured or retention payments will be withheld.

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Definitions:

- “Extremely High Unemployment Zip Code” means a zip code containing all or part of a census tract in which the rate of unemployment is at least 200% of the County average rate of unemployment.
- “High Unemployment Zip Code” means a zip code in respective Counties containing all or part of a census tract in which the rate of unemployment is at least 150% of the Los Angeles County average rate of unemployment or located in a Bank Enterprise Area as designated by the Community Development Financial Institutions Fund.

Note: For non-federally funded projects, “High Unemployment” targeted zip codes shall be limited to Los Angeles County.

- “Disadvantaged Worker” means a worker who, prior to commencing work on the project, meets one or more of the following criteria: (a) has a household income of less than 50% of the Area Median Income, or (b) faces at least one of the following barriers to employment: is homeless; is a custodial single parent; receives public assistance; lacks a GED or high school diploma; have a history of involvement with the justice department; or, suffers from chronic unemployment. These factors shall be subject to negotiations.