



Apprentices, Zipcodes at Issue in School Labor Deal

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By Ana Tintocalis

A battle wages on over who should get to work on lucrative school construction projects in San Diego City Schools. KPBS Education Reporter Ana Tintocalis takes a closer look at why a controversial labor agreement has landed the district in court.

It was late last week when San Diego Unified got the bad news from Jim Ryan, executive vice president of San Diego's chapter of the Association General Contractors Inc.

"Good morning, I'm here today to announce the Associated General Contractors has filed a lawsuit against the San Diego Unified School District," Ryan declared during a news conference at AGC's headquarters.

The contractors group is the largest and most powerful lobbying organizations representing contractors in San Diego.

After months of speculation, his group is suing the district over a labor agreement. That agreement gives unions preference in landing contracts under the \$2.1 billion Proposition S construction initiative.

They're trying to use an obscure state law in court to win their case. They say that law indicates all state-certified construction apprentices have an equal right to work on public projects -- and that includes apprentices who work for non-union companies.

"Really, our goal here is to stop the discrimination of our apprentices," Ryan said. "If (district officials) can figure out a way to write it, to include our apprentices in, more power to them. But they have to include our apprentices and the people they work for."

Construction apprentices include drywall finishers, carpenters and painters. They and their contractors have been publicly criticizing the school board ever since three of the five trustees voted for the agreement.

Eric Christen is with the Coalition for Fair Employment in Construction. He says the school district has no business stepping into labor relations.

"Its unfortunate ... its 2009, not 1939." Christen said. "Workers have made a choice. Most choose to work union free. They get paid benefits, and they get paid well otherwise they wouldn't be working for (non union contractors). So we don't need a bunch of elected officials at the San Diego Unified School District, who should be focusing on what's best for students, telling business owners what's best for them their workers."

Another bone of contention is a requirement built into the district's labor agreement that says 35

percent of Prop. S construction jobs should be set aside for union workers living in the city's highest poverty areas. Critics call that unfair. But San Diego Unified school board president Shelia Jackson, who voted for the deal, says its for the common good.

"In the unified school district, more than 60 percent of our students are on free and reduced lunch. That means their parents are in poverty," Jackson said. "There's another 10 to 15 percent who just didn't make the cut. So we have 75 percent of our citizens that are in poverty, and if we don't stabilize this city, our city will not survive."

Not all the trustees support this kind of geographic limitation on who can get the jobs. Board member Katherine Nakamura voted against the agreement because she says it excludes other deserving workers in the rest of the city.

"There are people in my community who have been good citizens, good taxpayers, and they might even be union, but because of zipcodes, they're not going to get a crack at this," Nakamura said. "I know families that have met all the criteria but they are losing their homes. They've been staunch workers, they've showed up for work, they've gotten the education they need, and they won't be eligible for this and that bothers me tremendously."

But supporters insist this deal represents an important social goal that all public agencies should adopt. Donald Cohen is with the Center on Policy Initiatives, which backs unions and these types of labor agreements. He says the school board should be applauded for stepping-up and demanding all construction companies tied to Prop. S pay their workers well, give them job security and healthcare benefits.

"The construction industry is a temporary job industry. Workers will sometimes have jobs and sometimes not have jobs," Cohen explained. "Under a union construction contract, they are many employers hiring many workers, the healthcare stays with the worker. They're not just a worker with a resume knocking on doors. So what they've been able to do is to create stability for the workforce in a temporary job industry."

And Cohen says in the end, reserving some jobs for the poorest neighborhoods will benefit local school kids because many of their parents will be the ones making decent wages and getting healthcare their families need.

The school district has already started to award contracts under the contested labor agreement. But construction could be slowed if the legal challenge is successful.