



School board passes major labor agreement

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By Hoa Quach

San Diego Unified School District and local unions have reached a project labor agreement for a \$2.1 billion project; and the board voted 3-2 for its passage Tuesday evening.

The final agreement with the school district and two unions - San Diego Building and Construction Trades Council and Southern California Conference of Carpenters - comes after nearly six months of deliberation. The board, comprised of three pro-union members - Richard Barrera, Shelia Jackson and John Lee Evans, passed the agreement.

Board member John de Beck said his colleagues passed the agreement because it's based on "union power."

The project, funded by the passage of Proposition S in November 2008, allows for the repair and renovation of district school facilities over the next 10 years. Its passage caused bidding battles among unions and non-unions to pick up the work and allowed for the school district to establish the Independent Citizens' Oversight Committee. The ICOC was prompted to evaluate projects and determine whether a Project Stabilization Agreement would be beneficial for the school district and the construction workers they hire.

After six months of discussion, the school district and unions came to a proposed PSA. The 35-page agreement states that the school district has "the absolute right" in selecting the contractor and that the contractor has the right to "determine the competency of all employees, the number of employees, the duties of employees." It also states the unions "will exert their best efforts to recruit and refer sufficient numbers of skilled craft workers to fulfill their labor requirements of the Contractor." In addition, 100 percent of employees will be San Diego County residents and 70 percent of employees will be residents of the district in which the project is needed.

But the intent of having a PSA itself has caused controversy in the local education community.

The PSA is an accord among construction workers and employers guaranteeing the completion of the project in a timely and efficient manner or at least for the most part. Its usage has been encouraged by President Obama after he released an executive order in February stating that "it is the policy of the federal government to encourage executive agencies to consider requiring the use of" PSAs. The executive order also states that construction workers are, typically, in the most ephemeral and unstable industries. In addition, PSAs often restrict employees from other municipalities to apply for the project - this allows for only locals, who would contribute its income back into the local economy, to apply for the work. On the flip side, employers may find projects difficult to complete if such agreements aren't in place - and in particular, larger projects.

The ICOC studied projects that both did and did not use a PSA, including Petco Park, which used one. Among the group's conclusions in its report, the number of apprentice-training programs and fringe benefits could be reduced by a PSA, and the PSA could "foster labor-contractor disputes if resolution methods were not included." In addition, the local economy could further falter by the PSA, if it didn't include certain zip codes of applicants.

A recent study conducted by the Center on Policy Initiatives contests the ICOC report. CPI's Corrine Wilson, who conducted the project, found that "salient facts" were missing from the ICOC report. Wilson said that through research, conducted by the think-tank, most PSA projects benefited the local community, economy and those directly involved in the project.

"The best aspects of the project stabilization agreement are local hire - so it does reinvest the bond money back into the community [by] hiring district residents to work on the projects," Wilson said. "This has worked at the L.A. Community College District, L.A. Unified School District and the L.A. Department of Public Works - they all have tracked how many residents have worked on the job, what the average wage is, and it's a sizable amount. All three of these agencies have been doing this for years and they've [PSAs] been working for them. We like to bring that here."

Wilson said that PSA construction jobs lead to more apprenticeship programs. She said the unions involved in PSAs guarantee a certain amount of apprentices can be hired for jobs alongside experienced contractors. This allows for apprentices to gain the necessary experience to be competitive in the job market after he or she graduates (see chart). CPI communications specialist Xavier Leonard said this is the most important part about the PSA.

"That's really important because construction is, essentially, a temporary industry," Leonard said. "As you're working, you're working yourself out of a job. Having this agreement and doing the work through union hiring halls is an important way for people to gain stability in, what is essentially, an unstable and temporary industry."

"To clarify, the agreement is something that governs the standards for the work to be done and conditions under, which, the work is done," Leonard said. It's not an agreement about who's going to get the work."

Board member Richard Barrera agrees. Barrera, who was a labor organizer and voted for its passage, said because of the wording in the agreement, many students may actually see their neighbors working on the projects - or even their parents.

"Most of our students live in low- or middle-income communities, so if they see these opportunities being given to those of the same economic class - they may think more about the opportunities that are available to them," Barrera said. "They'll think they have a real shot in succeeding."

But de Beck thinks otherwise. The board member, known for being hard-hitting on every issue, thinks the well-being of unions plays a heavier role in the decision rather than the well-being of the school district.

"We have accomplished all previous bond financed construction projects without this kind of agreement," de Beck said. "The current agreement is a union initiated plan supported by the three most recently elected school board members."