

## Overview

# LiUNA! Local 261/City & County of San Francisco Career Pathway Partnerships

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## **BACKGROUND**

### **I. Unions**

A. Trade Unionists & the City Charter: Long ago, the American Federation of Labour became a power in the country, and generally was able to uphold a relatively high standard of living for the workers who were organized into its unions. Our City Charter in recognition of the “Union,” assigned representational responsibilities to various trade unions in town and those union officials elected by the workers speak and negotiate on behalf of those workers with the various employers. Often times, those Union “leaders” are also “trade unionists” that advocate not just for their own memberships but for labor solidarity, unorganized workers, and in this instance, a “Community Workforce” that shall neither be exploited or, left behind.

The Laborers opine that all Building Trades Unions impacted by the Department of Public Works should be collaborated with by whatever means necessary in order to achieve labor peace, a sustainable “skilled & trained” workforce, and ensure that the important work the Department is responsible for is completed on budget and on time for the citizens we all serve.

### **B. The Laborers**

1. The International Union : A half-million strong, we are united through collective bargaining agreements which help us earn family-supporting pay, good benefits and the opportunity for advancement and better lives. LIUNA members are a “skilled and trained” workforce in the construction and energy industries. Members build infrastructure - from roads, bridges, and transit to schools and skyscrapers. They are certified to install rainwater catchment systems and trained to build water and sewer systems. Members also work in every area of the energy sector, helping to build solar plants, wind farms, and natural gas and oil pipelines, as well as, being skilled in the maintenance of nuclear and coal power plant facilities. LIUNA also represents over 70,000 public employees.

2. The Northern California District Council of Laborers, “NCDCL” is affiliated with “LiUNA!” and was chartered in 1937 in San Francisco, and today represents over 35,000 men and women, who are collectively employed as laborers by its network of 1700 signatory employers. Oscar De La Torre is the business manager of the NCDCL which administers with Employers the Trust Funds, Training Center, Pre-Apprenticeship programming, & Hiring Halls in the Northern 46 California counties

3. LiUNA!, Local 261 has been in the City and County for over 100 years and boasts a strong localized and diversified membership. Prior to his election to the District Council, De La Torre was the business manager/secretary-treasurer for Local No. 261. Under De La Torre, (who still serves on the Local 261 Executive Board,) the union worked collaboratively for years with City leadership at their request to launch multiple “first of its kind” State of California certified career pathway programming that meets Community Workforce objectives.

## II. Jointly Administered Career Pathway Partnerships Formed in 2004

**Mayor Gavin Newsom, Public Works Director Ed Lee, Deputy Director Oscar De La Torre agree to subsidized Industry training at SFDPW and 1st ever public/private CA JATC**

Back in 2004, dozens of community workforce leaders became dissatisfied with the fact that they were ineligible to work on Industry projects, (specifically the 3rd Street light rail,) that were taking place in their own communities. Young workers from the Southeast were being told that they lacked the skill sets and minimum qualifications to perform tasks necessary to gain employment on these projects which was a general fact.

In response, they organized, (with ABU leading the way,) and approached Mayor Newsom with this dilemma (*ie couldn't get a job because didn't have experience/didn't have experience so couldn't get a job.*)

Newsom who had openly promoted “local hire” and CityBuild concepts already, approached Oscar De La Torre specifically. Because De La Torre recognized that such an effort would meet the needs of the community workforce, the Department, and Union signatory contractors by “skilling-up” local individuals for sustainable careers, (in both the public and private sectors,) in our industry he had the Laborers Training Center develop curriculum and certify the Department of Public Works Laborers Apprenticeship program with the California Division of Apprenticeship Standards in 2004. ABU’s James Richards, well-respected community workforce leader became the official “Ombudsman” for the program pursuant to the Local 261 Agreement with the City and was assigned to the Union. Despite its simplicity, this was a hugely complicated, time consuming and extraordinary effort.



### **III. Expectations - Professional Standards and Local 261 Rank & File leadership & engagement**

Mayor Newsom appointed Theresa Foglio to serve as the first “Community Workforce Liaison,” to the City and assigned her to Local 261, and everyone agreed that this programming had to be legitimately administered in a transparent and effective way so that it would operate as a “Pipeline” (not a job,) for years to come in order to provide opportunities to community applicants who sought experience in order to move up the career pathway. The first ever State Certified Horticulture Apprenticeship program & the first ever State Certified Arborist Apprenticeship programs were launched in the public sector in 2010 & 2016.

It’s an understatement to say that there were some growing pains. Public Works was learning for the first time in the early 2000s what “joint administration” of such programming really was. The Committee (not management) would be responsible for onboarding, certification, all disciplinary procedures, compliance with the state standards, etc. and Public Works had a tendency to be “loose” sometimes with the rules, supervision & oversight. Subjecting candidates to this type of environment would ultimately be a disadvantage for them as they sought opportunities in the more stringent private sector. Furthermore, the Department was challenged with providing candidates actual verifiable work experience as far as the on the job training “OJT” components were concerned.

The Union, rather than fighting with the Department to reform its own program acquiesced, switched gears and worked with its rank and file leaders to develop similar certified programming at the Recreation and Parks Department that might be able to then lead by example.

Real support from the Mayors office and enthusiastic participation from union membership (who understood firsthand the deficiencies of the Public Works 7501 program,) were able to certify the Horticulture and Arborist programs in connection with new Union policies and guidelines adopted by the JATC, including the “appropriate personnel,” zero tolerance, “a C or better,” at City College, and very important “buy in” from current journey level staff, (some of whom expected assignments as “work force captains.”) At SFRPD, it was all about professionalism and management touts the efforts as one of its successes even today.



#### **IV. Compliance, Expertise and deliverables related to the Community Workforce & Signatory Employers**

While the Union voted to terminate the DPW program in April 2019, each and every day since it has been ready, willing and able to meet with Department personnel in order to implement necessary reforms that would re-launch the program in a responsible, compliant and sustainable way.

The Union still has obligations to its private sector industry partners to deliver a “skilled and trained” workforce via the Union Hiring Halls and Master Labor Agreements and cannot in good faith certify industry professionals that it knows lack the skill sets necessary to perform journey level functions on the job site. Nor, can it utilize its Training Trust Funds or staff to simply go through the motions in connection with a program that has no intention of serving the industry or meeting community workforce objectives.

Because of professionalism, commitment and expertise in the area, the Laborers Training Center has broken records for certifying apprentices in Northern California the past several years, while the Laborers Community Training Foundation has also made extraordinary impacts in communities of color all over the State by administering industry training and elevating candidates onto the career pathway.

There is no good reason that any City Department wouldn't be successful working collaboratively here, with Local 261 unless there is a general lack of understanding or commitment to upholding the State Standards of Apprenticeship, or they simply want to “give away entry level jobs.”



## V. Missteps & Lessons learned

There were growing pains at Rec and Park too. In 2014, the Union wrote to the Board President asking to have the contract introduced because we learned that the Department was working with the City Attorney, (after ratification!) in connection with concerns it had about incorporation of “state apprenticeship standards” into the collective bargaining agreement. Fortunately, the matter was resolved but it did illustrate general difficulty that management had with new concepts and compliance considerations. The Union then shifted its attention back to Public Works.

By now, there were a number of concerns the Union, (and Organized Labor,) had in connection with various alleged workforce development programs funded by city departments that had little if any verifiable success Including the Garden Project at SFPUC and the 7501 program at the Department of Public Works. While the DPW had indentured over 200 people into the program since inception, less than 5% ever sought opportunities in the private sector.

While both programs targeted men and women from Southeast San Francisco, neither was able to provide the necessary skill-setting or linkage to a career pathway in the private sector that would enable individuals to have a sustainable career independent of subsidy moving into the future. Additionally, the City took calculated steps to eliminate safeguards from the Union’s JATC administration including “concurrence” language, the Ombudsman, the Workforce Liaison, “orientation,” and even “verifying” (as opposed to “verifiable,.) minimum qualifications for candidates.

Career pathway administration, PreApprenticeship, and Apprenticeship being fundamental union principal lead Local 261 leaders to turn to he San Francisco Labor Council for support which resulted in the Valentine’s Day 2019 Resolution calling for both an audit and meeting with the Board of Supervisors in connection with workforce development approaches, transparency, reporting, Alignment & Centralization. Finally, Local 261 membership voted in April 2019 overwhelmingly to ratify their successor MOU that terminated the programming at SFDPW.



**VI. Opportunities to Align, Centralize & Reset in meaningful/sustainable ways through collaboration & partnership with stakeholders & interested parties**

Nobody ever accuses a trade unionist of having a strong bedside manner. Our desire to speak frankly with you in connection with these critical city functions (that your constituents rely on,) should not be miss-judged because we're proud of the success that we've enjoyed together, that our membership has enjoyed, that members of the community workforce have been able to take advantage of, and especially of the lives that we've changed together in connection with this type of programming City-wide.

We are also extremely proud of the essential workforce of Local 261 and the Building Trades that came to work each and every day during a global pandemic and quite frankly had little support in some key departments but kept doing it, risking their own health each and every day. It's for them that we remain unapologetically committed to advancing these concepts and fighting quite frankly to protect them and their future and their jobsites and their locker rooms and their vehicles and their health and safety from anything management advocates for that's less than copesetic, professional or accountable.

To be clear, we are eager to continue moving the ball in any administration that recognizes the importance of these endeavors. It is just simply a fact that at the Department of Public Works things can and will work well with respect to the classifications covered by our agreement if City Hall has an appetite for moving concepts raised in the Valentine's Day 2019 Labor Council Resolution, putting together a working group to have face to face discussions, to explore and revisit or visit the hiring hall discussion, the San Francisco Housing Authority MOU, the community workforce liaison, the ombudsman, "concurrence," and other items that have been implemented (then removed,) and worked quite well in the past.

Thank you Supervisors for calling this hearing, and thank you as always for hearing from us.

