

**CBA, from page 4**

weren't treated the same as other workers.

"They took advantage of people because they're afraid. They are not here legally in this country," he said with the help of a translator. "One time I worked for cash, no receipts or anything, and they ended up owing me \$3,000, and I couldn't do anything about that."

His brother, Antonio Pulido, spoke of inadequate training and safety equipment.

"Sometimes we weren't able to attach ourselves correctly to do the work we had to do," he said. "I have heard of many people who have fallen down and gotten hurt, and even lost their lives, without having the adequate equipment that they needed."

According to Oregon OSHA, there were 510 accepted disabling claims for construction-related falls and slips across the state in 2015, the most recent year data is available.

Juan Sanchez, who now works for the Northwest Regional Council of Carpenters, told the board that when he arrived in Portland, the contractor he worked for deducted from his paycheck rent, money for riding in the work van, and money to pay for the use of tools. After two months of full-time work, he was paid \$200.

"My story is repeating today," he said. "Right now, somebody is working under the same circumstances that I worked under 18 years ago in this city."

Basom, who's been investigating labor complaints for the past 11 years said, "I've worked dozens of these cases - worker exploitation, underground economy - over those years, and it seems the most severe of these cases always comes down to the Latino workers on residential-type construction projects."

One year ago, Street Roots reported on these worker issues in Portland, finding that many taxpayer-funded projects were also ripe with exploitation. Read the report at [news.streetroots.org/workerexploitation](http://news.streetroots.org/workerexploitation).

Problems with worker abuse often lay with subcontractors working under the prime general contractor. Typically, it's Latino immigrants working for these non-union subcontractors who are most likely to be subject to exploitation, wage theft and threats of retaliation if they speak up or attempt to organize.

Basom believes widespread adoption of the CBA model on public projects will help change the overall face of Portland's construction sites in a positive way.

"I feel we need this now more than ever. We are seeing a construction boom in Portland," he said. "If we don't act now, Portland is just going to become a bigger hotbed for worker exploitation."

He said because volunteers, including union representatives, on CBA oversight committees conduct much of the investigation into compliance, "we feel this is a small ask from these public entities."

The board's report also recommends that CBAs continue to include a set-aside equal to 1 percent of the total project cost, which would

**"I feel we need this now more than ever. We are seeing a construction boom in Portland," he said. "If we don't act now, Portland is just going to become a bigger hotbed for worker exploitation."**

- BEN BASOM  
PACIFIC NORTHWEST REGIONAL  
COUNCIL OF CARPENTERS

fund compliance activities, increasing capacity through community outreach and workforce building.

While CBAs would still be considered for select city projects costing \$25 million or more under the city's new proposed plan, advocates say that's too few projects.

"The smaller projects are more accessible for minority contractors because their bonding capacity is not big, so why not try to extend something that has diversity goals on all the projects?" asked Kelly Haines, senior project manager at Work Systems. "It would help with scale-ability, and that's what the city of Seattle has figured out."

Seattle uses a model similar to Portland's CBA structure, called Community Workforce Agreements, on all public works projects costing \$5 million or more.

Haines worked closely with community groups to draft the CBA model and said that since the 2012 resolution was passed, many projects have still been approved without it.

"The biggest fight was with the Portland Building (remodel)," she said, "because that's \$200 million,

and we were very vocal in all the public venues, and we had dozens and dozens of organizations representing tens of thousands of people saying 'Use a CBA on this,' and we were unsuccessful. They did not apply a CBA."

While the city has goals for minority- and women-owned subcontractors on other city projects, they aren't always met.

"We have some modest utilization goals, and that's what we're making exceptions on," Eudaly said. She said in some cases, contractors come before council to be granted exemptions on meeting those goals. While she said there are legitimate challenges to meeting them, it's in part because the city needs to invest in developing minorities and women in the building trades workforce, which CBAs do.

"There also has to be a consequence if you don't meet the minimal standards," she said.

The city delayed a vote on its new proposed plan for projects in excess of \$10 million, called the Community Equity and Inclusion Plan, after nearly unanimous criticism from public commenters during a council meeting in July.

Commenters did, however, support an amendment proposed by Commissioner Dan

Saltzman that would replace language to consider CBAs for projects costing \$25 million with a requirement that CBAs are used on all of those projects.

Michael Cox, Mayor Ted Wheeler's spokesperson, said a vote on the city's plan and Saltzman's amendment is expected in late October, although it could be delayed another week or two.

He said the reason for lifting the threshold for CBAs to \$25 million was because it's the city's price point for meeting both community goals and efficiency.

But Haines worries that in the spirit of being efficient, the city is losing the thoroughness in its Community Equity and Inclusion Plan that makes CBAs so beneficial.

The new plan comes after an outside consultant's evaluation of the CBA pilot projects that found while most goals were met, there was room for improvement.

Since that report, labor and community groups have created an updated template for CBAs moving forward, intended to address concerns and fine-tune the agreements.

The carpenters' union plans to share the Workers Rights Board recommendation to fully implement CBAs on all projects with Multnomah County officials later this month.

The county has used a model similar to CBAs, called Project Labor Agreements, on its new courthouse and health department headquarters. It publishes monthly reports showing how close it's coming to meeting its equity goals online, however as of July, the courthouse project was falling short of meeting its minority workforce journey hour and women apprenticeship workforce hour goals.

Lee Fleming, who has been instrumental in the county's adoption of Project Labor Agreements, agreed that site visits and oversight are key to compliance.

But the county, too, only utilizes its Project Labor Agreements on large, multimillion-dollar non-low-bid projects.

A coalition of labor rights advocates, Metropolitan Alliance for Workforce Equity, have told City Council to vote no on its proposed plan. Advocates say that for CBAs to truly empower marginalized workers and put a dent in worker exploitation, more widespread implementation is necessary.

"For years, immigrant construction workers in the Portland area have experienced substantial, illegal abuses on the job," states the Workers Rights Board report. "Community Benefits Agreements (CBAs) represent the most successful strategy available for combatting illegal abuse and under-representation on publicly funded construction projects."



PHOTO BY EMILY GREEN

*Jesus Pulido (right), a wood framing carpenter, speaks on a Workers Rights Board panel in July.*