



Port of Oakland Maritime and Aviation Project Labor Agreement A SHORT DESCRIPTION of a UNIQUE AGREEMENT

In 1999, the Port of Oakland embarked on a multi-project, multi-year expansion program to double the size of both the Port's Maritime and Aviation Facilities at an estimated cost of \$1.5 billion dollars. In anticipation of this very large and complex undertaking, the Port sought out an agreement with the building and construction trades to provide labor stability through the duration of the construction period. The negotiations that led to the Port of Oakland's Maritime and Aviation Project Labor Agreement (MAPLA) included consideration of the expansion's impact on the Port's neighboring communities. The resulting MAPLA provisions represent the Port and Labor partnering with the community to create a unique social justice program.

Flexibility for small local and non-union contractors

MAPLA contains some aspects of a "traditional" project labor agreement. The construction trades agreed to no-strikes, no walk-outs and no slow-downs on the MAPLA projects with specified liquidated damages for breach of these provisions. All grievances including jurisdictional disputes must be handled through the grievance and arbitration provisions. MAPLA does not restrict non-union contractors from bidding work. All contractors must sign a MAPLA letter of assent but they are not bound to any union relationships outside of the MAPLA project. Non-union contractors can use their own employees on MAPLA work with some restrictions. They can use up to 10 "core" employees with every other worker from the union roster. The Port may also designate some projects performed by small local contractors as excluded from MAPLA requirements yet still protected under MAPLA from strike or related labor actions.

Opportunities for local workers

Contractors agree to meet overall local employment goals on MAPLA projects and the trades unions agree to support these goals. Fifty percent of the workforce hours shall be performed by workers for the Local Impact Area (LIA) of Oakland, San Leandro, Alameda, and Emeryville. If the contractor cannot get workers from the LIA, they may use workers from other parts of Alameda and Contra Costa Counties. Twenty percent of the work hours shall be performed by apprentices and all of these shall be LIA apprentices.

Direct Community involvement in MAPLA

MAPLA contains unique provisions for direct community oversight and involvement with its social justice program. The Social Justice Committee, an advisory body consisting of community representatives with participation from contractors, the Port, and the construction trades unions, meets monthly to review progress and recommend further steps to develop and enforce provisions of the Social Justice Program. The Social Justice Committee may refer issues for potential arbitration under the MAPLA grievance provisions.

Social Justice Trust Fund to address barriers to employment

Fifteen cents for each MAPLA workforce hour is contributed to a Social Justice Trust Fund and total contributions now exceed \$230,000. The Trust Fund money is used to eliminate barriers to construction employment for local workers who have been historically disadvantaged in the construction industry. The fund has committed over \$177,000 in grants to local Community Based Organizations to support local residents establish careers in the trades.

Successes to date

The Port's MAPLA construction program is ongoing and may potentially extend past 2007. On the portion already completed, the Social Justice Program has established many successes. The Local Impact Area (LIA) employment constitutes 33% of the total hours and the combined LIA/LBA employment is near 60%. While the rate of LIA employment continues to increase, this result is already double the rate of local employment on Port projects not covered by MAPLA. The Social Justice Committee has referred contractors for arbitration and in one case the contractor settled the grievance with a payment of \$10,000 to the Social Justice Trust Fund. Other contractors have agreed to hire LIA apprentices on non-Port projects. LIA construction firms have been awarded 65% of MAPLA contracts to date. LIA/LBA contractors have won over 90%. More than \$4 million of MAPLA construction has been performed under the Small Business Exclusion.

Summary

The Port of Oakland's expansion program has focused attention on its social responsibility commitments. MAPLA provides new tools for the Port to meet these obligations while ensuring a steady construction process.