

## Community benefits policy under tight scrutiny

by Don Wall Aug 1, 2017

Ontario's unionized carpenters are reporting modest initial success in recruiting new apprentices as the province's first community benefits program unfolds as part of the \$5-billion Eglinton Crosstown LRT procurement process.



Ahmed Abbi recently moved from level 1 carpenter apprentice status to second level apprentice while working on the Eglinton Crosstown LRT with builder Crosslinx Transit Solutions. Abbi was introduced to Carpenters' Local 27 at a Crosstown information session. - Photo: CARPENTERS' DISTRICT COUNCIL OF ONTARIO

But other construction stakeholders were cautious about the benefits when asked to evaluate the latest report on the concept from the Mowat Centre in Ottawa.

Ontario formally introduced community benefits as part of the construction process in 2015 through Bill 6, the Ontario Infrastructure for Jobs and Prosperity Act.

Metrolinx had already introduced its own initiative with its 2014 Community Benefits Framework and last December, Premier Kathleen Wynne unveiled the province's first community benefits agreement (CBA) as part of the Crosstown build.

Signatories were Metrolinx, Infrastructure Ontario, the builder Crosslinx Transit Solutions, the Toronto Community Benefits Network (TCBN) and the United Way.

One announced goal of the CBA was that 10 per cent of all trade and crafting hours would be performed by apprentices and journeypersons who live along the transit corridor and who have had trouble finding jobs.

Carpenters' District Council of Ontario provincial training co-ordinator Colleen Dignan, also a member of the TCBN, reported in an interview that over a four-year process that began with community outreach meetings, there have been 30 to 40 potential carpenters recruited.

Dignan called it "an initial success."

"The majority of the people who have signed on are definitely young people, several within the community and local, but the definition of local has been an ongoing discussion."

That narrow debate — it's been generally determined, for the purposes of meeting the goals of the CBA, that newcomers have to be from within the 416 area code, Dignan said — is symptomatic of a broad range of points of contention and philosophical differences absorbing stakeholders as they watch the Crosstown community benefits experiment unfold.

Dignan offered other examples of "sticky" situations. The work for carpenters is a couple of years away, so it remains to be seen how many will still be apprenticing, given statistics show that only 50 per cent of first-stage apprentices stick it out to become journeypersons.

And Dignan noted when the carpenters finally get a dispatch order, it's uncertain how the newcomers recruited through the CBA would be integrated into the normal hiring channels, which include collective agreements and call lists.

"I think if we got a dispatch order for a whole group of journeypersons and we had to incorporate the community benefits members, I think that would be a sticky situation," said Dignan.

"Moving forward with this project and projects that might fall under Bill 6, that is going to be the balancing act for unions, how to incorporate this stream into pre-existing processes."

Stakeholders believe the CBA process represents an opportunity to bring new skilled workers on stream at a time when labour forecasts predict skills shortages, Dignan said. At a recent forum she attended, CBAs were considered fertile new grounds for recruitment along with sourcing new Canadians, women and aboriginals.

Speaking for contractors, Anthony Fernandes holds several different positions including director of public affairs for the **Residential and Civil Construction Alliance of Ontario (RCCAO)** as well as government relations chair of the Construction and Design Alliance of Ontario (CDAO).

A strongly worded letter authored by Fernandes in February to the premier recommending flexibility in implementing community benefits initiatives was signed by Geoff Wilkinson, chair of the CDAO, who is also executive director of the Ontario Road Builders' Association. It was prepared in collaboration with the Ontario Sewer and Watermain Construction Association and the Ontario General Contractors Association.

The CDAO will be expanding on its original message in a follow-up, Fernandes said.

He explained contractors are skeptical about the role community groups with no experience in construction will play in procurement.

"Despite the best intentions of these groups, they haven't consulted with us, they do not understand how a jobsite fundamentally operates, and they are not sensitive to the training process and the cost implications of what they are proposing," he said. "So we need more time to figure this out."

The CDAO letter said its members were in support of community benefits in theory but had concerns with the implementation of CBAs.

Among the issues covered, the CDAO said hard targets and penalties should not be embedded in procurement documents; that aspirational targets should be used to allow for more "on the ground flexibility and innovation"; that a broader, "more integrated system governing apprenticeship programs" that takes advantage of existing programs is preferable to adding complexity through labour targets in a CBA; and that prescriptive targets would "work to the detriment of other government objectives, such as delivering projects on time and within budget."

"The CDAO has been supportive of treating each project uniquely," Wilkinson explained in an email.

Negotiated, soft targets with no penalties is the CDAO's recommended approach, he added.

"The message is, take it slow, keep it flexible," said Fernandes.

"We are very pleased the government has maintained a flexible, slow approach with Crosslinx. It is a non-binding, aspirational document that is giving all the parties lots of room to experiment."

The Mowat Centre report, titled Delivering Benefit and published July 19, called for precise definitions of social benefits and clear and meaningful targets in contracts and said "labour market intermediaries" can be used to help developers meet targets.

Fernandes said he was pleased with the report but that he would have liked to see more about the cost implications of some of the programs and more information about how a balance can be struck between unions, contractors and community groups.