

# Building Equity in the Construction Trades: A Racial Equity Impact Statement





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# Table of Contents

- Executive Summary ..... 1
  - Preview of Report ..... 2
  - Call to Action ..... 6
- History of Racial Discrimination in Syracuse.....7
  - The Policy of Segregation – Redlining .....7
  - Urban Renewal .....10
  - Segregating a City with a Highway .....12
- Current State of the Syracuse Workforce .....14
  - Syracuse Today.....14
  - Racial Disparities in the Construction Trades .....24
  - Reasons for Racial Disparities in the Trades .....27
- Policies Addressing Equity on Construction Projects  
and the Trades .....34
  - Contrast between State and Federal Funding .....34
  - Project Labor Agreements .....47
  - Possible Creative Approaches to Equity on I-81 .....57
- Racial Diversity on Large Scale Municipal Projects  
in the Syracuse Area .....59
  - Overview of Our Analysis .....59
  - The Projects .....62
  - The Project Labor Agreements .....63

The Findings .....	74
Conclusion .....	101
<b>The Interviews .....</b>	<b>107</b>
Intentionality .....	108
Direct & Indirect Pressures .....	110
Education & Training .....	112
Overcoming Barriers to Win a Construction Bid .....	115
Conclusion .....	116
<b>Conclusion – A Call to Action .....</b>	<b>117</b>
<b>Appendix A .....</b>	<b>119</b>
<b>Appendix B .....</b>	<b>130</b>

## Executive Summary

A concrete path floats atop our city devastating areas below it – a physical reminder of Syracuse’s history of segregation and racist policies. Interstate 81 was and continues to be an injustice perpetrated on Syracusans. Correction for this decades-long injustice can never be fully realized. As Syracuse and Onondaga County prepare for a new billion-dollar I-81, city residents – especially minority residents – should receive equitable opportunity regarding the construction jobs that will result from it.

The Urban Jobs Task Force and Legal Services of Central New York created this report to investigate the racial disparities in the construction trades and the opportunities to create equity within them. It examines our past and our present followed by a comprehensive review of the construction trades, especially in our city and county. The report is intended to be an educational and data-based tool for community stakeholders, policy-makers, developers, unions, workforce educators and funders.

The purpose of this report is to advocate for racial equity in the construction trades. When we discuss racial equity we are referring to proportional representation of minorities to access the opportunities available in the construction trades. Based on the findings in this report we know that there does not currently exist proportional representation of minorities in the construction trades, but from our research and interviews there appears to be a collective capacity to work to create racial equity. In promoting racial equity within the construction trades, we are advocating for the fair inclusion of all people which will benefit the city, county, and region by increasing their economic stability.

For the first time, data is analyzed from numerous construction worksites to illustrate a clear picture of the racial disparities that exist and contextualizing the

need for more equitable hiring practices on them. Anecdotal evidence supports what we and many in the community see when driving by construction sites – they fail to demonstrate workforce diversity. While this anecdotal evidence is compelling, we wanted this report to include quantifiable data on the racial demographics of construction sites in and about Syracuse. We believe having data is critical to fully understand the need to make construction workforces more racially diverse. We did not review the data for the causes of racial disparities on these worksites or to place blame or culpability on any of the municipalities, governmental agencies, contractors, unions, etc., for those racial disparities. Instead we looked at the data as a means to show the problems within existing construction workforces so that action can be taken around I-81 to ensure a more inclusive, diverse, local workforce on that project.

## **Preview of the Report**

### **Section I: History of Racial Discrimination in Syracuse**

Redlining, Urban Renewal, and I-81 shaped Syracuse into what it is today, demographically and economically.

Redlining made minority-populated areas, such as Syracuse's Ninth and Fifteenth Wards, easy targets for urban renewal schemes. Indeed, urban renewal and construction of the I-81 viaduct were critical factors in the destruction of 75% of the homes and apartments of black Syracuse residents. Compounding this injustice, discriminatory real estate practices shunted these residents almost exclusively into one location: Southside neighborhoods.

By 1970, using I-81's expedited transportation, white flight took hold in the city causing concentrated poverty within the city and eroded the city's tax base.

These conditions set the pattern for the racial and economic segregation that persists today.

## **Section II: Current State of the Syracuse Workforce**

As areas of Syracuse are re-developed, city residents remain entrenched in both poverty and limited opportunity. Half of the city's workforce leaves the city for employment in mostly low-wage work. Meanwhile, two-thirds of the jobs within Syracuse are performed by suburban commuters. Perhaps three-quarters of those commuters are white. No matter where city residents work, the majority still do not receive enough income to reach the United Way's benchmark of a "survival wage."

The I-81 Viaduct Project is a promising source of thousands of good paying, city-based jobs. But local and regional trade union membership fails to reflect the diversity of Syracuse. And continued failure to achieve the *full* incorporation of qualified minorities into the trade unions will frustrate the aspirations of any city resident to break the cycle of poverty through construction employment – unless significant, meaningful action is taken.

## **Section III: Policies Addressing Equity on Construction Projects and the Trades**

Leveraging the skills of local workers, and the diversity of minority-owned businesses is constrained under current conditions. As a state-led, but federally-funded project, the I-81 Viaduct Project will utilize the Disadvantaged Business Enterprise (DBE) model for incorporating socially and economically disadvantaged enterprises. However, DBE restrictions may actually exclude some New York State-approved Minority and Women Owned Business Enterprises (MWBE) from fair participation.



Further, the Trump administration recently quashed a federal experiment in procurement that encouraged (without requiring) the hiring of local, skilled workers on federally funded projects. That experiment, called SEP-14, would likely have benefited Syracuse city residents during I-81 construction.

The last, best chance for employment equity is forward, innovative thinking drawn from successful hiring practices elsewhere across the country. These innovations of policy and practice include Community Workforce Agreements, Government-Union-Community cooperation, and Side Letters on Project Labor Agreements (PLA), among others detailed in this section. If a PLA is negotiated for I-81, the inclusion, and robust implementation, of such innovations would go far in promoting employment equity.

#### **Section IV: Racial Diversity on Large Scale Municipal Projects in the Syracuse Area**

Data demonstrating the current racial composition of local construction projects was missing in our research. To fill that gap we collected data from five construction projects in the Syracuse area:

- The Hancock Airport Renovation Project;
- The Lakeview Amphitheater Project;
- The New York State Fair Exposition Center;
- The I-690 Teall Avenue and Beech St. Design Build Project;
- The Joint School Construction Board Phase II Project.

We used this data to provide an in-depth analysis of the workforce on each project. For each project the data we obtained was slightly different, but all provided important insights into the racial composition of the workforces. Along with the analysis on race, some of the data also revealed interesting information on other aspects of the workforce such as location of workers and apprentice

participation. Through this analysis we are able to show that significant racial disparities exist on these projects.

Based on our analysis we are able to make the following findings:

- Construction workforces on public projects are overwhelmingly white;
- Similar racial disparity exists across projects;
- White workers in the construction trades reap the benefits of historical advantages;
- Minority workers are underrepresented in project workforces at large and within individual contractors; and
- Project Labor Agreement hiring provisions are necessary to create access to opportunities, but are apparently insufficient by themselves to create workforce equity.

## **Section V: The Interviews**

We wanted to hear from people about the construction trades and how to build equity within them. To accomplish this we conducted 20 interviews with 30 leaders including local government officials, community leaders, workforce developers, financial institution leaders, developers, academics, union representatives, and union and non-union construction workers. Through these interviews we gained insight and further context about racial disparities in the construction trades, and heard solutions on how stakeholders in the construction industry can work together to create equity for local minorities in time for I-81.

These leaders revealed four common themes which are:

- Intentionality;
- direct and indirect pressures;
- education and training; and
- overcoming barriers to win a construction bid.

## Call to Action

Creating racial equity in the construction trades cannot be accomplished by any one player. To be successful, there must be collaborative action to reduce racial disparities within the construction trades through an assembly of local and state government officials, construction developers, unions, workforce developers, community stakeholders, and city residents. This team should come together *now* to build a racially diverse workforce who will have equal opportunities to work on the I-81 Viaduct Project and other good paying construction jobs in the Syracuse area.

Regardless of race, ethnicity, or socio-economic status *all* Syracuse residents deserve an opportunity to enter the construction trades and bring generational wealth back into the city. With this fundamental premise, it is time for our region to strengthen its resolve to create racial equity in the construction trades. This comprehensive study should serve as a catalyst to bring together resources, policies, and practices to create racial equity in the construction trades and get Syracuse residents to work on the I-81 Viaduct Project and beyond.

## Section I

### History of Racial Discrimination in Syracuse

Assessing the upcoming I-81 Viaduct Project requires historical perspective. The original I-81 project was a major cause of the racial segregation and concentrated poverty Syracuse suffers from today.

For this report, we will focus on three significant historical events that shaped Syracuse:

- redlining,
- urban renewal, and
- I-81.

#### **A. The Policy of Segregation – Redlining**

In 1934, as part of a widespread effort by then President Franklin Roosevelt to pull the U.S. out of the Great Depression, the Federal Housing Administration (FHA) was established<sup>1</sup>. The FHA's job was to increase the building of homes and stabilize the mortgage market by insuring loans made by private lending institutions against default. Unfortunately, the FHA guaranteed mortgage program encouraged lending institutions to discriminate against black people and foreign-born white people – even when solvent and with good credit – entrenching racial segregation in cities across the country, both North and South<sup>2</sup>. In 1936, Congress set up the Home Owners Loan Corporation (HOLC) allowing homeowners to refinance their mortgages over longer periods of time. This launched the standard 30-year mortgage Americans have been accustomed to ever since.

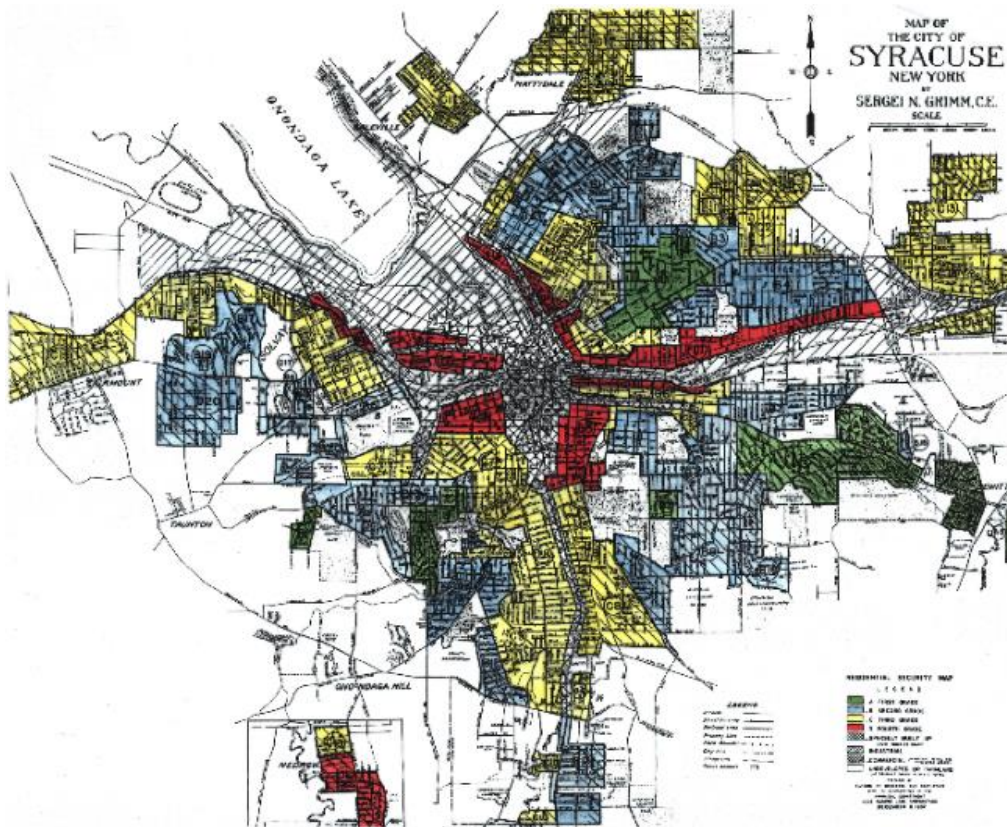
The HOLC was tasked with surveying nearly 250 U.S. cities between 1936 and 1945 to assess mortgage loan risk. The HOLC devised highly confidential

“residential security maps” that only federal officials and leadership of lending institutions had viewed or were even aware of.<sup>3</sup> Residential neighborhoods on these maps were color coded and ranked “A” to “D.” The “A” areas were “green” and were given 100% backing by the federal government for a mortgage loan.<sup>4</sup> These neighborhoods were usually newly built on the outskirts of cities and had few, if any, black or foreign-born white residents.<sup>5</sup> “B” areas were “blue” and got less backing than “A” neighborhoods.<sup>6</sup> These neighborhoods were still in good condition, but showing signs of wear and tear. “C” areas were coded “yellow” and got much less mortgage access than blue neighborhoods.<sup>7</sup> They had aging housing stock and an “infiltration of lower grade populations.”<sup>8</sup> “D” areas were “red” and received 0% federal mortgage backing. The red areas had mostly rented homes in poor condition and an “undesirable” – black – population.<sup>9</sup> The term “redlining” was coined from this practice of intentional segregation.

One’s race was key in the era of redlining. A black individual or family moving into a neighborhood would immediately lower its ranking perpetuating racial segregation.<sup>10</sup> Syracuse was entrenched with redlining practices.

The 1937 residential security map for the City of Syracuse, on Page 9, shows that the highest ranking green areas included such neighborhoods as Dewitt, Meadowbrook, Sedgewick, and Strathmore.<sup>11</sup> By contrast, the red areas consisted of the Near Westside and the former Fifteenth Ward; the lowly ranked yellow areas consisted of villages bordering the city such as, Mattydale, Nedrow, Solvay, and East Syracuse.<sup>12</sup> Decades later these red and yellow areas are still struggling to recover from the effects of redlining.

### 1937 Redline Map of Syracuse



After the new federal mortgage program was launched, between the 1940s and 1950s the black population in Syracuse grew by 120%.<sup>13</sup> During the '40s, many black people were migrating to northern cities to fill jobs previously held by white males serving in World War II.<sup>14</sup> Between 1950 and 1960 the black population increased by 144%.<sup>15</sup> This growth was due largely to certain social trends playing out nationally. Black people in Syracuse, under the impression that the opportunities would last, spread the word to their families in the South that jobs were available. However as the black population in Syracuse expanded, black employment decreased due to various discriminatory economic and social practices.<sup>16</sup>

“Blacks were quite often kept in skill-training programs twice as long as whites—not because of their performance, but because of the difficulty in placing them.”<sup>17</sup>

A 1942 study of hiring practices by Syracuse companies found that only 18 out of 84 mid-sized companies hired black people.<sup>18</sup> Black people were denied access to jobs that they were trained for – discouraging them from pursuing professional occupations. They were mostly confined to menial jobs regardless of education, skills, or experience. The impact of these discriminatory hiring practices can be seen in the fact that Syracuse now has the highest level of urban concentrated poverty amongst black and Hispanic peoples in the country.<sup>19</sup>

## **B. Urban Renewal**

Although the urban renewal projects of the 1950s caused immense displacement of black people and disruption of their community, the removal of black families from the Ninth Ward under the Housing Act of 1937 had done so as well.<sup>20</sup> Even before redlining, racialized customs determining where one could live also prevailed. Therefore, families displaced under the Act were forced to move to the only other area that allowed black people: the Fifteenth Ward on the southeast

edge of downtown. By 1950, 93% of all black people in Syracuse lived in the Fifteenth Ward where rents were inflated by 20%-40%.<sup>21</sup>

In the midst of redlining, Congress passed the 1949 Federal Housing Act which promoted urban renewal projects throughout the U.S. The initial idea was to replace “slum” land with better housing. However, over time federal money was used to purchase “blighted areas” around the central business districts. The upgraded land was then sold to private developers who in turn built commercial spaces and residential units for the middle and upper-middle class<sup>22</sup> – an enormous boom for the real estate industry.

Syracuse began building its new urban renewal projects in 1961. As a result of the Syracuse Near Eastside urban renewal project led by then mayor William F. Walsh the city gained: the Everson Museum of Art, Upstate Medical Center, the downtown Presidential Plaza, a new police station and a few parking lots.<sup>23</sup> But these developments displaced black residents who would later have an extremely difficult time finding suitable, affordable, and attainable housing. The city did eventually establish a relocation office. However staffing was completely inadequate given the large caseload; nor could the office end racial residential discrimination. Apart from redlining, many white homeowners and landlords beyond the Fifteenth Ward refused to rent or sell to black people restricting them to the city’s Southside.<sup>24</sup>

With full knowledge of the housing discrimination and substandard living conditions faced by most black people, city leaders failed to build new affordable housing to replace that of 1,000s of black people that were destroyed during urban renewal. These realities, coupled with the resulting new “black ghettos” led the local Congress of Racial Equality (CORE) to organize demonstrations against the Near Eastside urban renewal projects in August 1963.<sup>25</sup> Shortly after, in



September 1963, New York State law made all housing discrimination illegal, except for owner-occupied units.<sup>26</sup> This was due to overwhelming evidence that black people bore much of the burden of displacement during national urban renewal projects.<sup>27</sup> Despite such reform, housing discrimination continued to be a serious issue and the demonstrations in Syracuse persisted. Syracuse CORE tried everything from negotiating with the mayor to blocking bulldozers – all to no avail, “Twenty-seven blocks of the Fifteenth Ward were eventually razed including the houses of about 75% of the city’s black population”.<sup>28</sup>

### **C. Segregating a City with a Highway**

Due to its close proximity to the central business district and its label as a “slum” by the city’s prominent white leaders in the 1960s, the Fifteenth Ward was not only targeted for clearance by urban renewal, but also for construction of the I-81 Viaduct under the Federal Highway Act of 1956.<sup>29</sup> The act sought to make traveling and commuting through cities and suburbs more convenient and efficient. In the end, 103 acres of the Fifteenth Ward were razed to make way for the elevated highway that now bisects the city and separates the Upstate Medical University and Hospital from the city’s most impoverished neighborhoods.<sup>30</sup> Although considered a slum by others, former residents described the Ward as a close-knit community which never recovered from the dislocations of urban renewal and I-81.

Black people displaced from the Fifteenth Ward were forced to move to the Southside, the only neighborhood where they could rent or buy housing. This trend spurred middle and upper-middle class white flight to the suburbs and I-81 only speeded the process.<sup>31</sup> In fact, the white population in Syracuse decreased by 20% from 1950-1970 and then dropped 50% between 1970 and 2010. At the same time, the black population exploded from 4,500 to 42,000.<sup>32</sup> Until the Fair Housing Act of 1968, redlining was legal and white flight did not result in better housing opportunities for black people. As the more financially stable whites moved out of

the city, poor whites along with black people were left behind and suffered from the eroded tax base. So although I-81 expedited transportation, it entrenched the city's racial and economic segregation.

Throughout the time period when the historical events of redlining, urban renewal, and the construction of I-81 happened – local, state, and federal government combined to displace black people and racialize communities – whether through legislation, or the design, selection, and approval of routes for highways or urban renewal. All of these events are important to take into account when discussing workforce equity in Syracuse around I-81 for two reasons:

- To understand the devastating impact of the initial I-81 highway; and
- To present the upcoming rebuild of the I-81 highway as a new opportunity for good-paying local jobs that could help revive our city economy instead of letting history repeat itself, causing more poverty and segregation.

## Section II

### Current State of the Syracuse Workforce

In Section I, we examined redlining, white flight, urban renewal, the destruction of the Ninth and Fifteenth Wards and the building of the I-81 Viaduct. Today we are living with the consequences of those policies and practices; in particular: concentrated poverty and racial segregation. In this section, we look at Syracuse today:

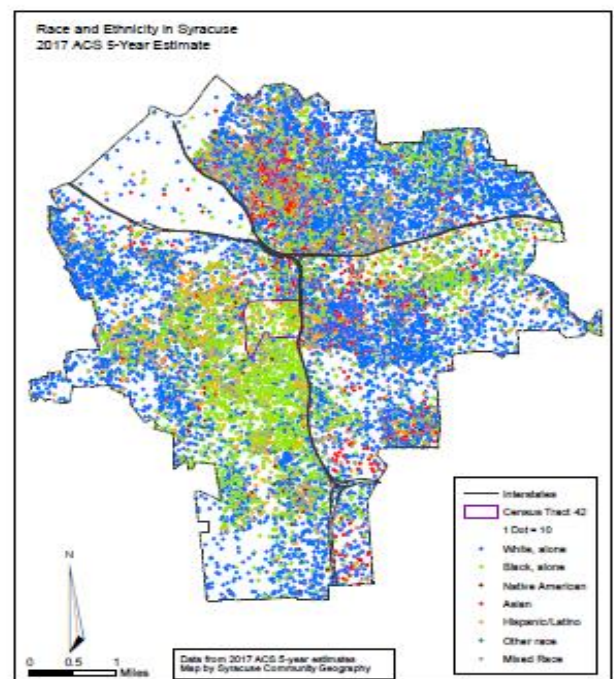
- racial demographics,
- poverty, and
- the occupations of its residents and where they work.

We then review the racial composition of the construction trades – both non-union and union workforces. We end this section by exploring the barriers to city residents and minorities from successfully joining a local trade union.

#### A. Syracuse Today

##### 1. Racial demographics

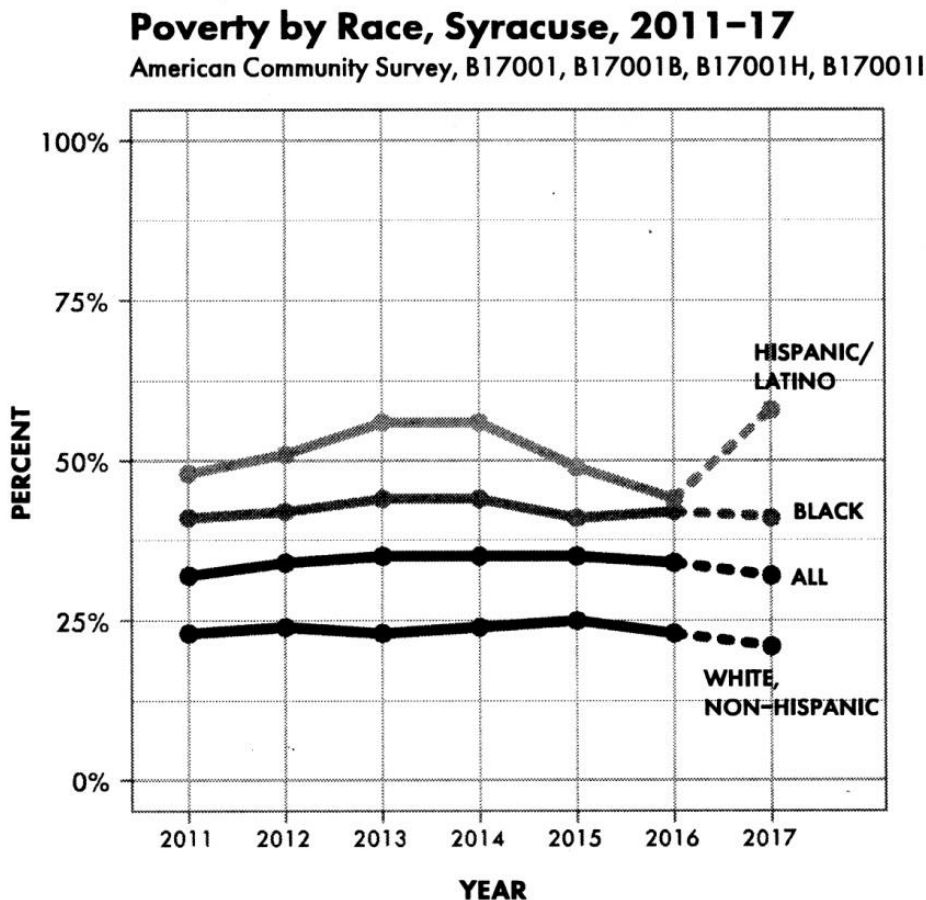
The latest US Census Bureau data estimates that Syracuse is 50.5% white and 49.5% minority while Onondaga County, as a whole, is 76.7 % white and 23.3 % minority. Black residents are 29% of the city’s population and 11.8% of the county’s. Of that 11.8%, 75.7% live in the city<sup>33</sup>. Syracuse Community Geography mapped the city’s ethnicity by census tract.<sup>34</sup>



The map shows a heavy concentration of the black residents on Syracuse's Southside, in particular, census tract 42. The proposed I-81 Viaduct Project will go through census tract 42 where mostly Syracuse Housing Authority tenants live.

## 2. Poverty

The City of Syracuse's report *Below the Line*<sup>35</sup> graphed poverty by race from 2011 – 2017.



*Poverty assails Syracuse and in 2017 poverty surged for Hispanic/Latino residents.*

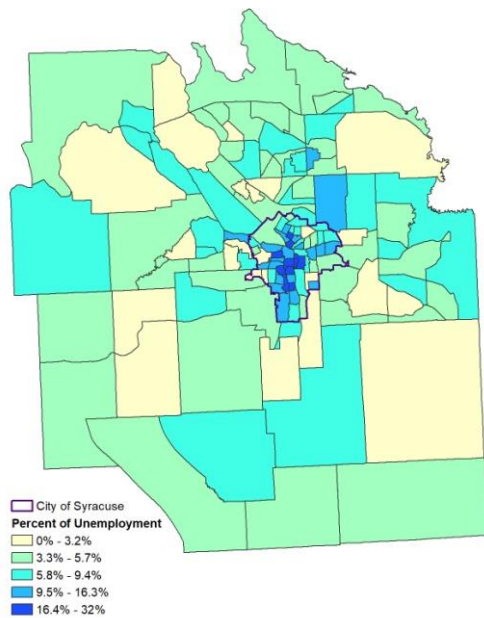
*Note: the dotted line represents a one-year projection.*

The next four pages display pairs of maps showing the depth of the city's poverty and the existing economic inequities (unemployment, labor force participation, median per capita income, median household income) within the city

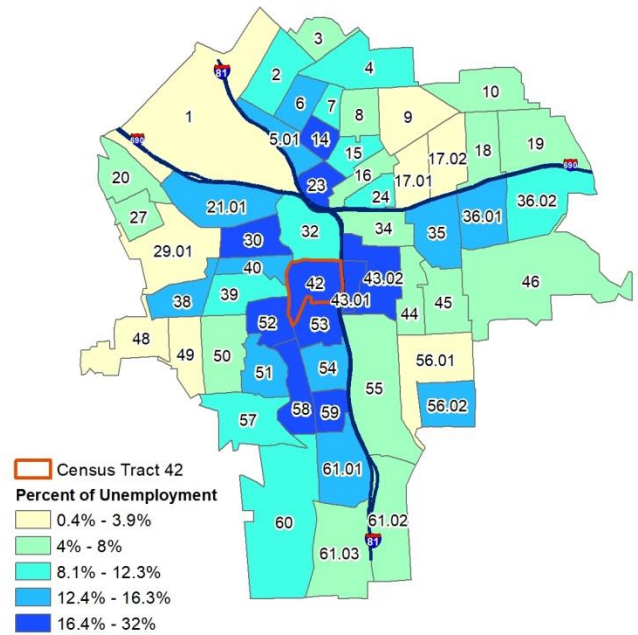
and between the city and the county's suburban areas. All maps are reproduced in larger scale in Appendix B.

### UNEMPLOYMENT RATE 2017 ACS 5-Year Estimate

Onondaga County<sup>36</sup>

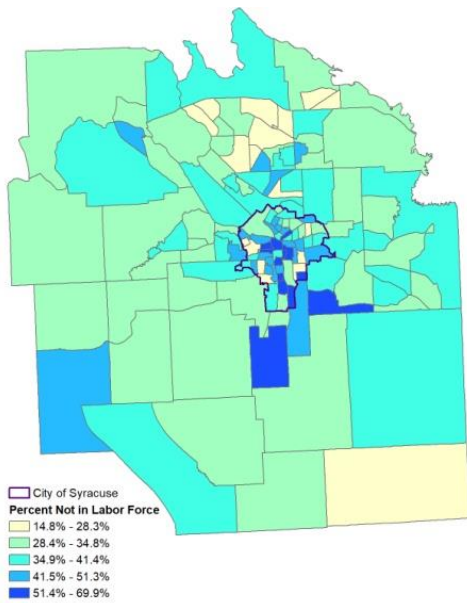


City of Syracuse<sup>37</sup>

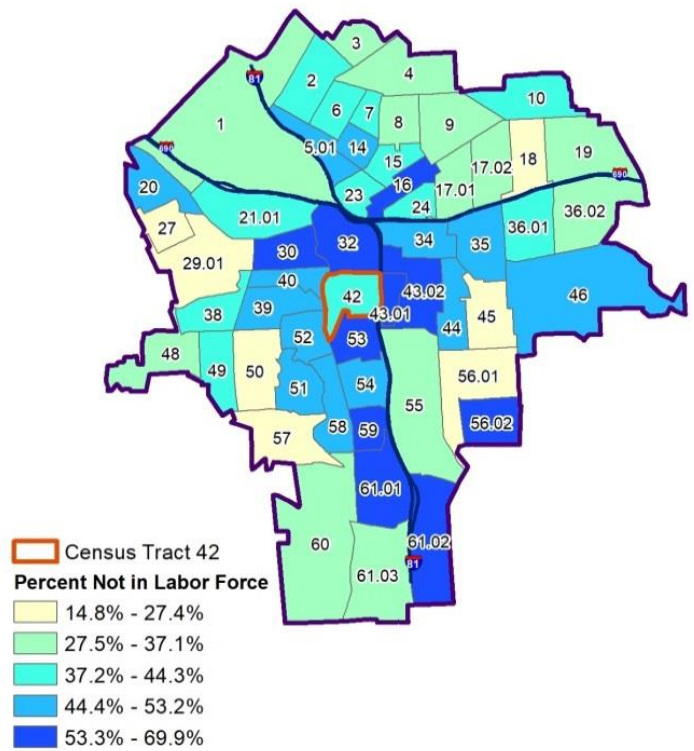


**PERCENT NOT IN THE LABOR FORCE (Age 16+)**  
**2017 ACS 5-Year Estimate**

**Onondaga County<sup>38</sup>**



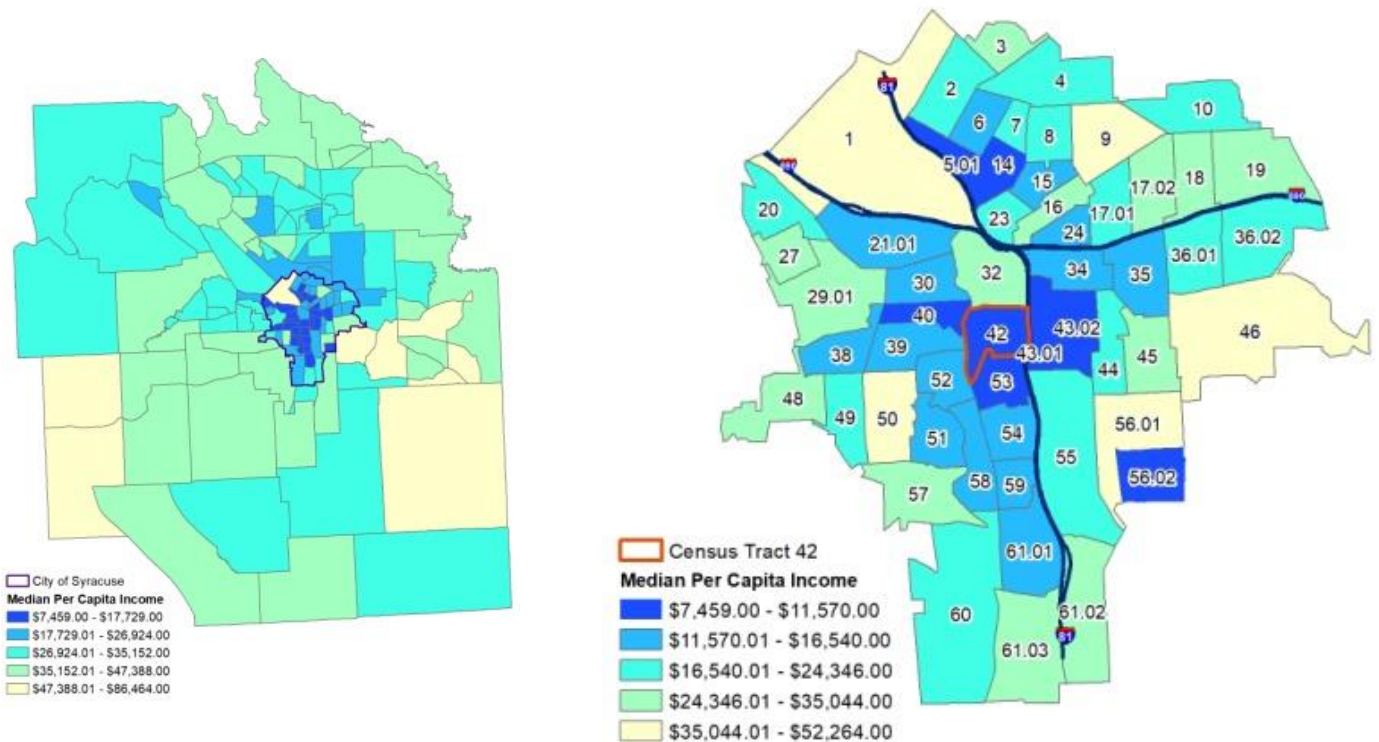
**City of Syracuse<sup>39</sup>**



### MEDIAN PER CAPITA INCOME<sup>40</sup> 2017 ACS 5-Year Estimate

#### Onondaga County<sup>41</sup>

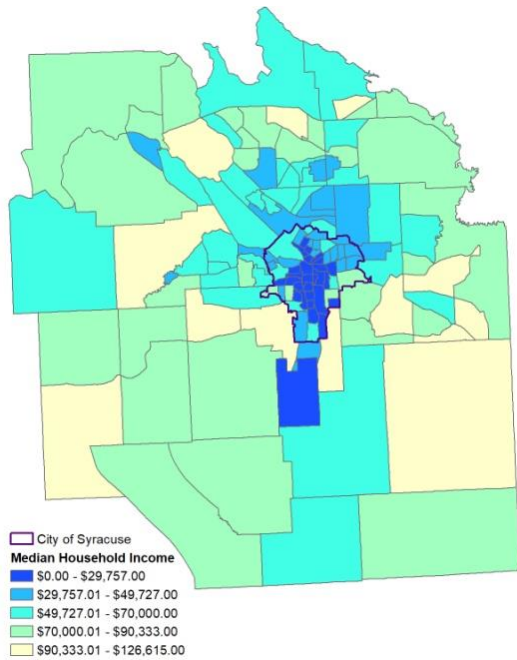
#### City of Syracuse<sup>42</sup>



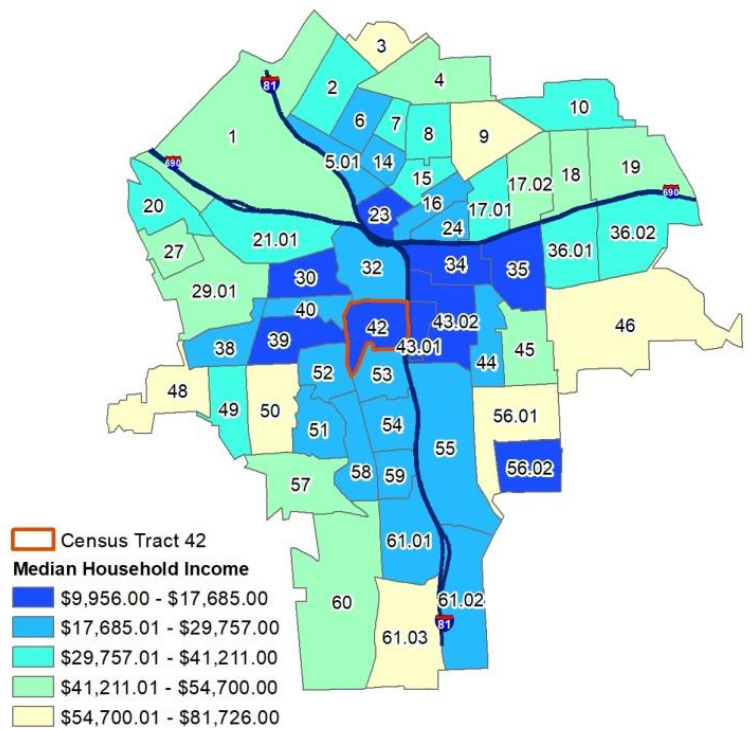
*After accounting for the predominance of SU students in census tracts 56.02, 43.01 and 43.02, a few city census tracts stand out as the poorest, one of them being census tract 42.*

### MEDIAN HOUSEHOLD INCOME BY CENSUS TRACT<sup>43</sup> 2017 ACS 5-Year Estimate

Onondaga County<sup>44</sup>



City of Syracuse<sup>45</sup>



*After accounting for the predominance of SU students in census tracts 56.02, 43.01 and 43.02, a few city census tracts stand out as the poorest, one of them being census tract 42.*



### 3. Occupations of Syracuse residents and where they work

Data USA characterized the work that Syracusans do by both Occupation<sup>46</sup> and Industry<sup>47</sup>. Both maps combined show the type of work Syracusans do; much of it low-wage work – retail, administrative, accommodations and food service, personal care, healthcare support, cleaning and maintenance.

Employment by Occupations in Syracuse, Ny

The closest comparable data for the census place of Syracuse, NY is from the state of New York.



Dataset: ACS 5-year Estimate  
 Source: Census Bureau

DATAUSA:

Employment by Industries in Syracuse, Ny

The closest comparable data for the census place of Syracuse, NY is from the state of New York.



Dataset: ACS 5-year Estimate  
 Source: Census Bureau

DATAUSA:

A 2014 report *Low-Wage Work in Syracuse*<sup>48</sup> says:

“Economists define ‘low-wage’ work with calculations taking into consideration the cost of basic goods and services in a given area. The general idea is that a working adult is making a living wage if they can make ends meet without the help of a government program to subsidize their basic household expenses.”

Even though the list below, created from that report, may be slightly dated, it shows the kind of wages many Syracusans are earning.

<b>Job Category</b>	<b>Hourly Wage</b>
Retail salespersons	\$10.97
Food preparation workers	\$9.04
Laborers and freight, stock material movers	\$11.44
Waiters and waitresses	\$7.69
Personal and home care aides	\$10.18
Office clerks	\$13.51
Customer service representatives	\$13.63
Miscellaneous assemblers and fabricators	\$13.55
Construction laborers	\$13.66
Ground maintenance workers	\$11.12

For many Syracusans the poverty incurred by low-wage work is deepened by the distance between where they live and where they work. According to Syracuse’s Tomorrow’s Neighborhood Today (TNT)/Southside 5-year plan laid out in *Southern Compass*<sup>49</sup>, of the 93,387 people that work in Syracuse 72,264 (77%) live outside the city; the remaining 21,123 (23%) live in the city. Of the 47,223 people who are city residents and work, 26,100 (55%) of them travel outside the city for their job. This spatial mismatch adds hardship to those who cannot afford a car and depend on inadequate public transportation. The situation becomes even more difficult if they need to find a conveniently located affordable day care.

## Illustration of People Commuting Into and Out of the City for Work<sup>50</sup>



As we see above many Syracuse residents struggle with low wages and a burdensome commute. These households may be living below the Federal Poverty Level or they may be ALICE households, ones that are **A**sset **L**imited, **I**ncome **C**onstrained, **E**mloyed. ALICE households earn more than the Federal Poverty Level, but less than the basic cost of living. United Way built a 2016 Household Survival Budget<sup>51</sup> for Onondaga County (below) to show the large gap between the Federal Poverty Level and survival. The budget has no cushion for emergencies nor savings for college/retirement.

## Household Survival Budget, Onondaga County

MONTHLY COSTS	SINGLE ADULT	2 ADULTS, 1 INFANT, 1 PRESCHOOLER
Housing	\$545	\$809
Child Care	\$-	\$1,500
Food	\$182	\$603
Transportation	\$341	\$682
Health Care	\$213	\$792
Technology	\$55	\$75
Miscellaneous	\$160	\$521
Taxes	\$267	\$748
Monthly Total	\$1,763	\$5,730
<b>ANNUAL TOTAL</b>	<b>\$21,156</b>	<b>\$68,760</b>
Hourly Wage	\$10.58	\$34.38

The monthly costs are averages across Onondaga County

According to the United Way report, 62% of Syracuse households are either an ALICE household or one that lives below the federal poverty level. The 2019 Federal poverty guidelines<sup>52</sup> are \$12,490 for a single adult without a child and \$25,750 for a household of four.

If we overlaid the four maps (unemployment, percent not in the labor force, the median per capita income, and the median household income) with the ethnicity map, we would see that minority neighborhoods, and predominantly black neighborhoods, are the ones most affected by poverty and low-wage work.

The I-81 Viaduct Project means thousands of construction jobs at prevailing wages for the upstate region. For those Syracuse residents hoping to land a better

paying job, an I-81 construction job could be their entry into the construction trades. From there they could build a career. When we interviewed the carpenter union representatives, they talked about their union members earning, on average, \$60,000 a year, receiving annual raises plus vacation and health benefits. Moreover, upon retirement their union members can rely on a pension and an annuity. Now let us take a closer look at the make-up construction trades.

## **B. Racial Disparity in the Construction Trades**

According to the Rutgers University Director of the Center of Urban Research and Urban Education, Paul Jargowsky, Syracuse struggles with segregation and poverty combined; or what he calls “concentrated poverty.” In 2015 Jargowsky published a study<sup>53</sup> tracking over time Syracuse’s major racial groups as measured by the federal poverty threshold. He reported that Syracuse was no. 1 in the nation for concentrated poverty for black and Latinx people and no. 5 for whites. As we have seen above, low-wage work is likely a principal cause of that poverty. Advocates for economic equity argue that accessible, good-paying, local jobs help people break the poverty cycle. The impending I-81 Viaduct Project running through Syracuse’s poorest census tract could be that opportunity for city residents. One of the biggest hurdles to such a breakthrough is the overwhelming white makeup of the construction trades – both non-union and union.

According to results from the Current Population Survey<sup>54</sup>, 3.2% of white adults residing in Onondaga County between the ages of 20 and 59 were construction workers. For minority adults in the same age group, only 0.15% were construction workers. This leads us to conclude that white adults were 21 times more likely to be construction workers than minority adults. Since minorities make up 23.3% of Onondaga County, the 0.15% participation rate is suggestive of a historic pattern of exclusion. Michelle Obama in her memoir *Becoming* writes of

family members not being able to get into the trade unions when they migrated north from the south, forcing them into less lucrative jobs.<sup>55</sup> She says:

“This particular form of discrimination altered the destinies of generations of African Americans, including men in my family, limiting their income, their opportunity, and eventually, their aspirations.”

In several of our interviews we heard that entrance into the trades depended heavily on who you knew. If your father, uncle, cousin, or friend of the family owned a company you had a good chance of being hired and trained on-the-job. The same was true of entrance into trade union apprenticeships which also depended on your networks.

In one interview, a local carpenter representative described how, many years ago, the carpenters union expected an aspiring apprentice to recruit a contractor for the union with the reward being union membership. At the end of the 1990s the federal government ended that practice by making unions institute a standard application process for membership.

## **1. The Onondaga County–based trade union locals**

Within Onondaga County there are 15 trade union local offices. Thirteen of them are affiliated with the Central and Northern New York Building Trades Council. The other two locals are independent of the council: Millwrights and Carpenters.

### **Syracuse-based locals**

Heat & Frost Insulators, Elevator Constructors, Ironworkers, Painters, Plumbers & Steamfitters, Sheet Metal Workers, Teamsters.

### **Suburban-based locals**

Roofers, Bricklayers, Electrical Workers, Laborers, Operating Engineers, Road Sprinkler Fitters, Millwrights and the Carpenters.

To get a better handle on trade union's diversity, in June 2018 we asked the Carpenters Union to share their regional membership data by zip code and race. They sent us a snapshot of their membership data. There were 1,886 regional union members; 90 (4.8%) were minorities. Fifty-one (2.7%) lived in Syracuse with 23 (1.2%) of those city residents being minority. Currently, the Carpenters are actively recruiting from Syracuse and are working to lower some of the barriers people face entering the union. They now allow applicants to take the entrance test with a calculator. In the summer of 2018, SUNY-EOC tested a minority person to gauge his skill level after which he was brought into the Carpenters union as a journeyman and had the driver license requirement waived. In a similar case, the Carpenters welcomed another minority city resident as a third-year apprentice. This proactive recruitment sends the right signal: city residents and minorities are wanted and welcome.

We also asked for the racial composition of the local Central and Northern NY Building Trades and were told it wasn't available. Even though we do not have membership data from these 13 locals we understand that some locals may be more racially diverse than others. Tracking whether Central New York's union membership is becoming more or less diverse over time would be a useful project. In 2015, the New York City Building Trades Council (BTC) commissioned such a study<sup>56</sup> and the results are telling. Using the Current Population Survey over the years 2006 to 2015, the study found that the BTC had an overall minority composition of 55.1% with blacks making up 22.2% and Hispanics 30.5%. Over the years 1994 to 2014, BTC's minority apprenticeships grew from 36.3% to 61.8%.

But the BTC wasn't always diverse; it was predominately white. What changed? In the late sixties, the BTC wanted a Project Labor Agreement (PLA) with the New York City's Housing Authority. Having a PLA would mean that the workers would be trade union members. The Housing Authority set a condition for granting a PLA: the BTC must increase union membership to minorities.

Another way to understand the diversity of the trade union construction workforce is through compliance reporting on municipal projects governed by a PLA. We obtained data on five significant local construction projects:

- Syracuse Hancock International Airport Terminal Improvement Project,
- Lakeview Amphitheater Project,
- New York State Fair Grounds Exposition Center Project,
- I-690 Teall Avenue and Beech Street Design-Build Project, and
- Syracuse Joint School Construction Board (JSCB) Phase II Project - a renovation project of Syracuse city schools.

In section IV, we will analyze those datasets along with their governing PLAs.

## **C. Reasons for racial disparities in the trades**

As the trade unions intentionally expand their outreach to Syracuse, oftentimes their recruiting hits some formidable barriers, such as, applicants:

- without a high school diploma or GED;
- without access to transportation to the local union office/work sites;
- owing back child support and having a suspended driver's license; or,
- having criminal convictions.

To understand these barriers, we will examine: education, post-secondary training, transportation, incarceration and racial bias, and segregation and limited networks.

### **1. Education**

Many trades unions offer very specialized craft skills developed over two to seven years through an apprenticeship which includes classroom and on-the-job training. Each trade union has prerequisites for its apprenticeship. Most require a high school diploma or its equivalent, and some unions, test for math and reading proficiency.



According to CNYVITALs<sup>57</sup>, in 2016 the city school district reported a 61% graduation rate which represented a 14% improvement over 2008. Despite this improvement city apprentice applicants are competing with the Central New York Region where graduation rates in Onondaga County are 81%, in Madison 85%, in Cayuga 79%, in Oswego 81% and in Cortland 84%.

According to *Southern Compass*, in 2014-2015 none of Syracuse's schools, except the Syracuse Academy of Science, were "in good standing" as assessed by the state. As of 2017, 10 of the 18 city schools were in "good standing," while the remaining eight "struggling" schools showed some improvement.<sup>58</sup> The school district found that engaging high school students in career paths improved their overall learning. In 2016, the *Syracuse Post-Standard*<sup>59</sup> reported one city high school, the Institute of Technology (ITC) at Syracuse Central, had a graduation rate of 89%, up from 79% the year before. In 2018, the Syracuse City School District's website lists Automotive Technology at ITC, Electrical Trades at the former Fowler HS, Welding at Corcoran HS, Construction Technology at Nottingham HS, along with other career paths. People affiliated with the trades feel that high school counselors must present more options than college to high school students; they must show that a career in the trades is a viable and attractive alternative to college.

At the 2018 Career and Technical Education Expo in Syracuse, an Urban Jobs Task Force member encountered two confident high school seniors taking the Electrical Trades curriculum. They said that graduates of their program take the International Brotherhood of Electrical Workers (IBEW) apprenticeship test and always pass it. These two seniors said they planned to go to college but felt that the exposure to the electrical trades gave them the confidence that they could also earn a living as an electrician.

As the city struggles with concentrated poverty, the school district realizes that the trades could be a promising career path for many students. In his 2019 “State of the City,” Syracuse’s Mayor Ben Walsh announced Syracuse Surge: a \$200 million initiative bringing positive development to the city, and particularly, to its economically depressed Southside.<sup>60</sup> He described the main feature, the Southside Campus for a New Economy, as:

“The predominant feature of the campus will be a new regional Science Technology Engineering Arts and Math – or STEAM – school. It will be built in a fully restored and modernized former Central High School, an historic gem that has awaited reuse for decades. The school, planned in a partnership between the city, the county, school district and OCM BOCES will capitalize on the city’s success in career and technical education, making it available to students from districts throughout the region. Additionally, the Southside Campus will house an expanded workforce development center in the fully renovated and expanded SUNY Educational Opportunity Center complex adjacent to the STEAM School.”

## **2. Post-secondary school trades training**

### **a. BOCES**

Beyond high school, if someone wants to learn a trade, they can enroll in three curricula offered at Board of Cooperative Education Services (BOCES) Adult and Continuing Education Center in Liverpool, a Syracuse suburb: 1) Construction; 2) Heating, Ventilation, Air Conditioning/Refrigeration (HVAC/R); 3) Welder & Fitter. In 2018, BOCES trade graduates were in high demand. Seventy-five were recruited by the unions or hired by private contractors. Of the 75, 23% were city residents. An important difference between union apprenticeships and BOCES classes is tuition. At BOCES, the construction curriculum is \$7,883, HVAC/R is \$7,834 and Welding & Fitter is \$8,445 and these tuitions do not include books and supplies. If accepted into a union apprenticeship, the union pays for the classes and books, and if the classroom is too distant for commuting, the union will provide transportation and lodging. For income-strapped city residents, a union-based

apprenticeship may be the only path to gain construction skills. This may change when the Southside Campus for a New Economy becomes a reality.

**b. NCCER Training locally**

Since 1996 when it was founded, the National Center for Construction Education and Research (NCCER) has developed 70 construction/craft training curricula.<sup>61</sup> If successfully completed, its graduates gain a NCCER certification, recognized by many in the construction industry. For example, if a person wants to certify as an electrician they would take the Core curriculum, and at least, level one of the electrician craft. On their website, NCCER offers four levels for many in-demand crafts<sup>62</sup>, as electrician, carpenters, welders, heavy equipment operators, heavy highway construction, etc. High schools, colleges and workforce developers use the NCCER curriculum to train prospective workers for a particular craft or project. But this training also has a cost to the student unless a funder underwrites the tuition and materials. This happened twice locally when Huber-Breuer and Onondaga County funded a 12- week NCCER training for the laborer craft, helping NCCER graduates pursue a construction career – union and non-union.

Currently, local workforce developers offer four to six week pre-apprenticeship training preparing city residents to work on the Joint School Construction Board school renovation project. In our opinion, (also echoed in the REIS interviews), this shortened training is inadequate, leaving city residents, even if they are placed on a JSCB project, without the in-depth preparation to land the next construction job.

**c. Syracuse Build**

In January 2018 during his State of the City remarks, Syracuse’s Mayor Ben Walsh announced a new initiative, Syracuse Build, using San Francisco’s successful City Build as a model. The purpose would be to prepare a city trades workforce for local construction projects. In our opinion, to be effective, Syracuse Build must do

two things well: 1) offer trades training beyond pre-apprenticeships and 2) secure construction jobs for its participants. Offering in-depth trades training could be done by contracting with BOCES or negotiating a memorandum of understanding with the trade unions. Securing local construction jobs is harder because it is often dependent on the good will/good intentions of a developer or large institutions like Syracuse University. Yet the city does have leverage over many city construction projects. When developers apply to the Syracuse Industrial Development Agency for lucrative tax breaks, the agency could require that developers provide construction jobs for Syracuse Build participants or other city residents.

### **3. Transportation**

Most trade union websites, as requirements for union membership, list reliable transportation and a New York State driver's license. According to the city's report *Below the Line*<sup>63</sup>, almost 66% of city residents who depend on public transportation do not have access to a vehicle at home and live below the poverty line, making it almost impossible to fulfill the "the reliable transportation" requirement. And, sometimes it is not access to a car, but the lack of a driver's license that is the barrier. Many times this is because the state suspends licenses when a person owes back child support. Yet without a license it is hard to get current on the child support payments, and especially difficult, if the person served a prison sentence. While in prison, the child support payments keep accruing into unmanageable debt.

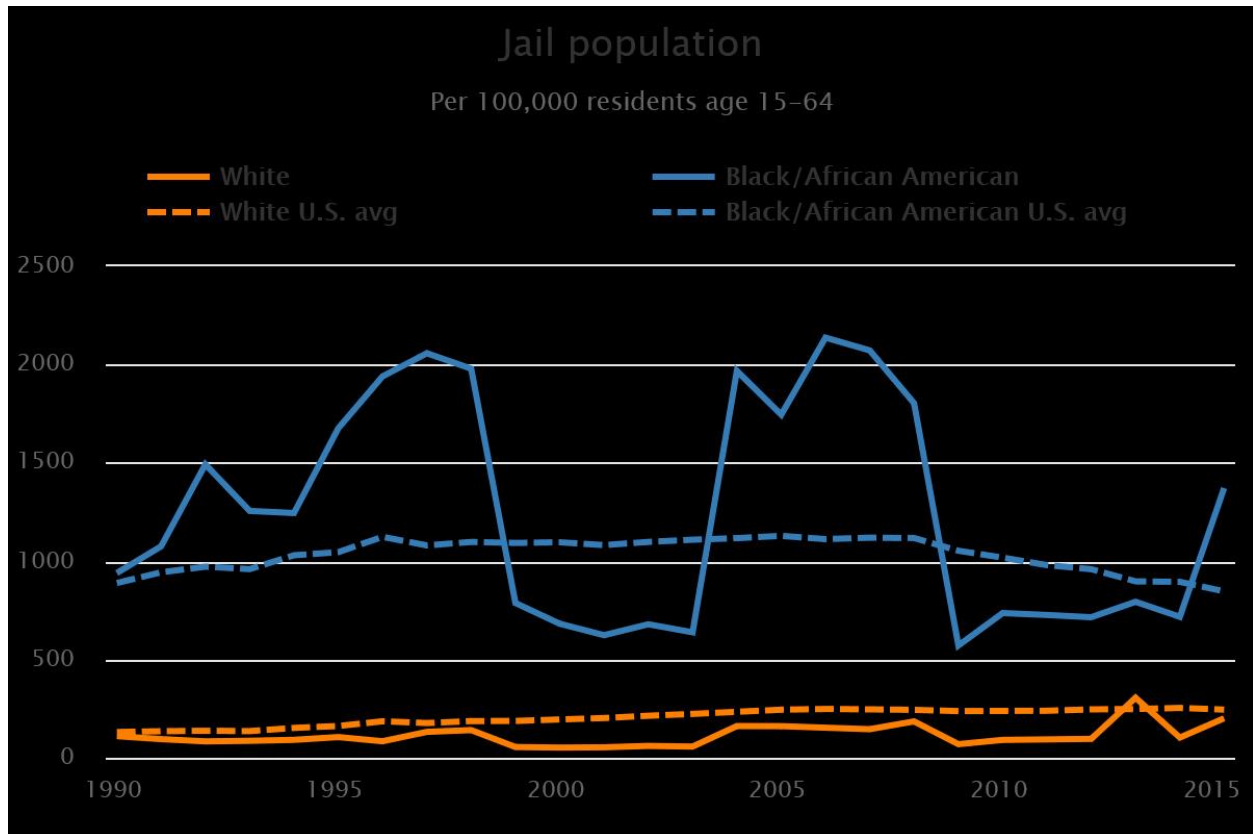
### **4. Conviction Records**

Incarceration often is a result of poverty and racial bias in sentencing. Michelle Alexander in her 2012 book *The New Jim Crow*<sup>64</sup> writes:

"More African American adults are under correctional control today – in prison or jail, on probation or parole – than enslaved in 1850, a decade before the Civil War. ... Thousands of black men have disappeared into prisons and jails, locked away for

drug crimes that are largely ignored when committed by whites.”

Below is a chart comparing national jail incarceration trends for whites and blacks with local Onondaga County jail incarceration rates.<sup>65</sup>



*In 2015, black persons locally were jailed seven times more often than whites.*

Jail and prison remove a person from the workforce. Moreover, for people of color, especially black men, having “served time” can be a significant barrier to future employment. A November 9, 2018 *New York Times* article<sup>66</sup> reminded readers of researcher Devah Pager’s 2007 seminal study *Marked: Race, Crime and Finding Work in an Era of Mass Incarceration*. There, she documented how black men with a criminal record looking for work got a call-back 5% of the time and those without 14% of the time, while whites with a record got called back 17% of the time and those without a record 34%. According to the *Times*, “she found that employers were more likely to hire a white man, even if he had a felony conviction than a black

man with no criminal record.” Her study led to the nationwide “Ban the Box” movement striving to eliminate from job applications the question about felony convictions. In 2014 the City of Syracuse “banned the box” for city contractors.<sup>67</sup>

## **5. Segregation and limited networks**

De facto racial segregation prevents minorities, especially black people, from accessing resources and networks which are more readily available to whites. Syracuse’s segregated neighborhoods are not an accident. Federal funding of suburbia, redlining, urban renewal in the 60’s and the building of the I-81 Viaduct contributed to Syracuse’s No.1 status nationally of segregated poverty for black and Latinx peoples. Critical factors for meaningful employment and building a career are a person’s access to networks and resources. As we have seen above, the Central New York trades, both non-union and union, still depend on networks for its employees and members. Unless municipalities initiate policies that challenge the status quo, not much will change. But policy alone cannot undo the exclusion that segregation built. It will take the concerted efforts of developers, contractors and local unions to build an inclusive construction industry.

## Section III

# Policies Addressing Equity on Construction Projects and the Trades

“The choices ... made regarding transportation infrastructure can strengthen communities, create pathways to jobs and improve the quality of life for all Americans.”

- **Federal Register V. 80, No. 44 Friday March 6, 2015**

### A. Contrast between State and Federal Funding

#### 1. Workforce Labor Goals

##### a. Title 49-Transportation

The New York State Department of Transportation (NYSDOT) will oversee the I-81 Viaduct Project and adheres to “Title 49-Transportation” in the Code of Federal Regulations (CFR). Title 49 requires implementation and administration of the Disadvantaged Business Enterprise (DBE) program whenever highway construction receives federal funds.<sup>68</sup> Because NYSDOT will receive federal funds for I-81, I-81 contracting will implement, and require, a DBE program. Further, even though the project is in New York State, the Minority/Women Business Enterprise (“MWBE”) programs will not be utilized on the I-81 Viaduct Project. Only the DBE program will apply.

Nonetheless, as a set of programs, the DBE and Minority/Women Business Enterprise programs, combined with Equal Employment Opportunity (EEO) goals, are important components to any method of workforce inclusion, and worth understanding in greater depth. They are existing programs that improve the hiring of women and minority workers in the construction industry. However, it is also true that their contribution to the hiring of qualified, local workers varies, and *may* be most significant only when combined with residency goals.

Additionally, EEO goals are not generous, but are based on workforce diversity data from the 1970s. Further, if the I-81 Viaduct Project has a Project Labor Agreement (PLA) to hire trade union members who reside primarily outside the City of Syracuse, certified DBE contractors and EEO goals will not, by themselves, address local workforce disparities on I-81. Indeed, DBE contractors cannot be relied on to sufficiently address hiring of local workers from Syracuse who live in communities suffering the greatest concentrations of poverty in the nation.

**b. MWBE for Statewide Projects<sup>69</sup>**

Article 15-A of New York State Executive Law defines a Minority-owned Business Enterprise (MBE) as “51% owned, operated and controlled by citizens or permanent resident aliens” of the following groups: “Black, Hispanic, Asian-Pacific, Asian-Indian Subcontinent and Native American or Alaskan Native.”

Article 15-A also defines a Women-owned Business Enterprise (WBE) as a “business enterprise which is at least fifty-one percent (51%) owned, operated and controlled by citizens or permanent resident aliens who are women.”

**c. MWBE Goals: State, County, and City**

A MWBE utilization goal creates a process to encourage a certain percentage of the contracts on a project be awarded to MWBEs. In 2014 New York State increased its combined MWBE utilization goal to 30%,<sup>70</sup> up from 20% four years earlier. For example, the New York State Environmental Finance Corporation (EFC)<sup>71</sup> recommends a 15% MBE-15% WBE split on contracts entered into by EFC for its corporate operations. However, generally speaking, the State allows discretion on the split of the 30%. Such discretion has the potential to undermine any work to correct for the historical exclusion of minority firms. When New York State departments don’t specify the split, there is potential for a severe imbalance between MBEs and WBEs (giving WBEs the majority of the contracts).



Onondaga County uses the New York State 30% MWBE goal as its utilization guideline. According to the Onondaga County Executive and the County's Director of Purchasing and Personnel, Onondaga County government encourages companies bidding on its projects to submit a 30% MWBE utilization plan (i.e., subcontracting plan) with an MWBE split of 18% MBE and 12% WBE. Onondaga County MWBEs must be registered with the State. There is no Onondaga County-based MWBE registration.

On its city-wide public works projects, the City of Syracuse has an MWBE ordinance. Per the ordinance, contractors must submit for review a 20% MWBE utilization plan with a 12% MBE - 8% WBE split. MWBEs that want to bid on city contracts must be registered with city government and have a business address in Onondaga County.

**d. EEO Workforce Goals: Federal, State, County**

EEO stands for Equal Employment Opportunity. Federal and State EEO laws generally address workforce discrimination in hiring and on the job site. And while many public works projects have EEO goals, they vary depending upon whether the federal government or the municipality is setting them.

An EEO goal strives to make sure that minority and women work a certain percentage of the total project workhours.

The federal government requires EEO minority and women goals on federally-funded construction projects over \$10,000. There is one national participation goal for women: 6.9%.<sup>72</sup> In contrast to EEO goals for women, the 1980 federal register<sup>73</sup> published a list from the Office of Federal Contract Compliance Program (OFCCP) (U.S. Department of Labor) with EEO minority goals for the various regions/counties in the country. The goals were based on the available minority workforce in each area according to the 1970 census. The EEO minority

participation goal for our area was set at 3.8%. Our area encompasses Syracuse's Standard Metropolitan Statistical Area defined as Madison, Oswego and Onondaga counties. Today, despite demographic changes since the 1970s, the Syracuse area's EEO goal remains 3.8%.

Nationally, the minority goal ranges; it is less than 1% in areas of Maine and Iowa, for instance, but 22% in New York City, and up to 33.5% in parts of the state of North Carolina. Again, these goals are based on census data decades old. However, on the USDOL's website<sup>74</sup>, question #12 from its "FAQs on Nondiscrimination in the Construction Trades" asks:

"Are construction contractors required to make good-faith efforts to meet the minority goals in the OFCCP's existing regulations, even though those goals are based on the 1970 Census?"

The OFCCP's response, in part, is:

"Both the published minorities' goals and the women's goal of 6.9 percent in the existing regulations remain in effect, and construction contractors must make good-faith efforts to meet those goals. These goals are not quotas, and OFCCP does not find contractors to have violated Executive Order 11246 if they fail to meet the goals." [EO 11246 was signed by President Johnson to prevent discriminatory employment practices in the construction trades.]

From our current knowledge of the contracting landscape in Syracuse, local contractors have not reported any trouble meeting the 1970-era EEO goals. Indeed, all of the five major projects listed in this report exceeded the EEO minority goal of 3.8%.

Further, EEO goals figure prominently in county and city contracting practices, as the following chart, "EEO Goals for Syracuse and Onondaga County," indicates.

## EEO Goals for Syracuse and Onondaga County

Entity	EEO Goals in Written Policy	EEO Goal Minority	EEO Goal Women
Onondaga County	No	18%	12%
City of Syracuse*	Yes	10%	10%
Syracuse Joint School Construction Board**	Yes	10%	10%

\*The City of Syracuse added EEO goals in 2016, when it updated its MWBE ordinance. The goals are for 100% Syracuse-funded construction or public service contracts over \$100,000.

\*\*The Syracuse Joint School Construction Board’s EEO goals were approved in 2014 on its \$300 million Phase II school renovation project.

### e. DBE for Federal Projects

The DBE model is a distinct program of workforce inclusion at the federal level. In other words, the DBE model is: (a) separate and apart from the MWBE model in New York State; (b) only for federal projects, and; (c) requires contractors who already are MWBEs (or contractors who would qualify as MWBEs) to certify *separately* as a DBE in order to participate in federal highway contracts.<sup>75</sup>

### f. Definition of Disadvantaged Business Enterprise

According to the U.S Department of Transportation, DBEs “are for-profit small business concerns where socially and economically disadvantaged individuals own at least a 51% interest and also control management and daily business operations. African Americans, Hispanics, Native Americans, Asian-Pacific and Subcontinent Asian Americans, and women are presumed to be socially and economically disadvantaged. Other individuals can also qualify as socially and economically disadvantaged on a case-by-case basis.”<sup>76</sup>

Further, “to participate in the DBE program, a small business owned and controlled by socially and economically disadvantaged individuals must receive DBE certification from the relevant state.”

Finally, “[t]o be regarded as economically disadvantaged, an individual must have a personal net worth that does not exceed \$1.32 million. To be seen as a small business, a firm must meet SBA [Small Business Administration] size criteria and average annual gross receipts not to exceed \$23.98 million. Size limits for the airport concessions DBE program are higher.”<sup>77</sup>

Primary responsibility for the DBE certification process rests with State transportation agencies.<sup>78</sup> And in New York State, any one of four transportation agencies performs DBE certification: New York State Department of Transportation, Metropolitan Transportation Authority, Niagara Frontier Transportation Authority, or the Port Authority of New York and New Jersey. In addition, any outside disadvantaged business – meaning a business from outside New York State – must first certify as a DBE through its home state before seeking certification as a DBE through New York State<sup>79</sup>.

As described, a DBE must be an existing small business. Additionally, each individual owner of a DBE must certify a personal net worth that is lower than the level for an owner of either an MBE or WBE.

Specifically, owners of a DBE cannot individually exceed \$1.32 million in net worth,<sup>80</sup> but the owner(s) of a MWBE can have an individual net worth up to \$3.5 million.<sup>81</sup> The difference in individual net worth caps means a New York State MWBE might not qualify as a DBE on federal projects in New York State. And, if that happens, a firm that is a qualified MWBE in New York State but does not qualify as a DBE on federal projects (due to exceeding the net worth cap) will then

have to compete for federal contract work on the I-81 Viaduct Project without any social or economic disadvantaged status.

**g. DBE Goals: Federal Projects in the States**

A federal construction project’s DBE goal is obtained by simple calculation using data on how many DBE contractors exist in the segment of construction under consideration. DBE utilization goals will vary from state to state and project to project. The USDOT expects State Transportation Agencies to calculate the DBE utilization goals every three years.<sup>82</sup> State agencies are expected to calculate the DBE goal based on the availability of DBEs in the industries required for the project, compared against all the firms in those same industries in a geographic market region.

USDOT provides the following illustration for the first step in calculating the DBE utilization goal:

“To give a more specific example, if your work for the year involves both heavy construction and trucking, then: where there are 44 DBEs in heavy construction and 14 in trucking, and 300 firms (DBEs and non-DBEs together) in heavy construction and 150 firms (DBEs and non-DBEs together) in trucking, the ratio would look like this:

$$\frac{44 \text{ DBEs in heavy construction} + 14 \text{ DBEs in trucking}}{300 \text{ firms in heavy construction} + 150 \text{ firms in trucking}} = \frac{58}{450} = 12.8\%$$

The USDOT has additional steps to refine the DBE goal for a project. But as the first step indicates, an increase in the number of DBEs in the required industries will increase the DBE goal.

**h. Higher DBE Goal vs. Workforce Diversity**

A higher DBE goal may, but may not, diversify the workforce. Undoubtedly, many DBEs are owned and controlled by individuals who are white; and they do not

need to have a workforce that is mostly minority. High DBE participation on I-81 would not necessarily create a diversified workforce unless those DBEs involved include a high percentage of DBEs that have, or hire, a mostly minority workforce.

## **2. Barriers to Local Hiring**

### **a. Local Hiring**

A suggestive quotation begins this section; the quotation suggests that a large infrastructure project can, among other things, give any American sudden access to a good job, including those Americans (such as minorities) who have often been excluded from their fair share of America’s growing economy. In spite of this possibility, barriers to employment for such Americans may still exist due to the cumulative impact of previous barriers to steady, long-term employment.

In other words, with disposable income, a robust official work history (especially if in construction), and the opportunities and networking relationships that those assets afford, our research strongly suggests you have a far greater chance of obtaining construction work than if you are poor, have a spotty official work record, and live in a segregated city. And without easy access to industry (or union) networks, your chances of obtaining skilled construction work on large, public infrastructure projects will be very low.

One way to address the problem of poverty, segregation, and a lack of access to networks, however, is through a hiring mechanism known as “geographic preferences.”

### **b. Geographic Preferences**

Geographic preferences are a policy action often taken by urban municipalities to create a pathway to construction jobs for America’s urban residents who have construction skills, but are chronically under- or unemployed in the construction industry. These municipalities (e.g., San Francisco, Cleveland, or

Camden, New Jersey<sup>83</sup>) have created incentives and/or passed laws requiring, for example, “best effort” goals by construction firms to hire local workers on municipal projects.

Such policy action means construction firms are supposed to hire a certain percentage of local workers. In such cases, a contract between the municipality and a construction firm for a municipal public works project is rejected unless and until a firm shows good faith effort to hire a minimum percentage of qualified local workers for the project.

**c. Local Workers**

“Local workers” can mean different things at different times, depending on the context. Our usage of the term refers to workers who come from either: (a) the urban municipality as a whole, or (b) specific communities in the urban municipality that have chronic under-representation in the construction (or public works) workforce.<sup>84</sup>

Indeed, the City of Syracuse has its own local ordinance that, like definition (a) above, requires 20% of the public works workforce to be Syracuse residents on any Syracuse city contract that is one hundred percent (100%) city funded, and worth \$100,000 or more.<sup>85</sup>

**d. No Geographic Preferences on Federal Transportation Projects**

However, at the federal level, the United States Department of Transportation (including the Federal Highway Administration) rejects geographic preferences. USDOT officials have determined that, despite USDOT’s recent experimentation with a program of geographic preferences called SEP-14, the Office of Management and Budget’s (OMB’s) Uniform Administrative Requirements

“prohibit the use of in-state or local geographic preferences in the evaluation of bids or proposals” except where legally mandated or encouraged.<sup>86</sup>

In other words, no federal transportation project can give preference to contractors who offer the services of locally hired construction workers – even if a municipality receiving federal funds wants its pool of qualified, but under- and unemployed local workers to work on the federally-funded project. As a result, if you live in the City of Syracuse, and are a skilled construction worker, but do not have a relationship with a big-name contractor, or do not belong to a union that gets work with federal contractors through a Project Labor Agreement, you may not get skilled construction work – or any work, at all, on federally funded projects.

**e. SEP-14: Temporary Geographic Preferences on Federal Transportation Projects**

Recently, the federal government decided to experiment with allowing a type of “geographic preferences” that, by law, was not previously mandated or encouraged for transportation infrastructure projects.

During President Barack Obama’s administration, the USDOT created Special Experimental Project No. 14 – Local Labor Hiring Pilot Program (LLHPP),<sup>87</sup> often referred to as “SEP-14.” From April 2015 until October 2017 (when SEP-14’s LLHPP was stopped), USDOT operated under a Notice of Proposed Rulemaking provision “to deviate from the OMB [Office of Management and Budget] guidance by making clear that geographic hiring preferences may be used in DOT grant programs.”

Given the successful use of geographic preferences in the procurement process at local governmental levels, USDOT proposed experimenting with federal construction procurement. Additionally, given the economic importance of a public transportation infrastructure project to a community, DOT further proposed that



“local and other geographic-based hiring preferences are essential to promoting Ladders of Opportunity [*sic*] for the workers in these communities.” Such ladders would ensure “that they participate in, and benefit from, the economic opportunities such projects present.”

USDOT also noted that, with access to geographic preferences, “local communities will be in a better position to leverage Federal and State and local funds into local jobs and economic growth.” However, SEP-14 would not contradict Federal law. Where Federal statute or regulation prohibit geographic preferences, the Obama-era USDOT would not implement SEP-14 LLHPP.

Indeed, USDOT made clear it was only permitting, not mandating, geographic preferences. And USDOT further pointed out how a 2013 Opinion from the Office of Legal Counsel gives the Secretary of Transportation “discretion to permit such requirements as long as they do not ‘unduly limit competition.’”

As a result, SEP-14 was established as a pilot program to test how geographic preferences could be used in conformity with competitive bidding requirements. After one year, USDOT would evaluate whether or not geographic preferences have “an undue restriction on competition.”<sup>88</sup>

#### **f. SEP-14’s Present-day Legacy**

From its inception in 2015 to its termination in 2017 (SEP 14 – LLHPP was extended another year after 2016<sup>89</sup>), 18 total projects were (and continue to be) enrolled in SEP-14.<sup>90</sup> Approximately the ninth project enrollee<sup>91</sup> is the \$1.2 billion interstate project in Colorado known as the Central 70 Project – expected to create 4,000 to 5,000 new jobs during a four year construction timeline.<sup>92</sup>

The Colorado Department of Transportation (CDOT) finalized its bidding process with SEP-14 requirements in mid-2017 and, once a primary developer was

selected, released an initial SEP-14 LLHPP report in November 2017.<sup>93</sup> Construction began the next year, in August 2018.<sup>94</sup> As the CDOT's initial SEP-14 report notes, the "local hiring preference ... is a goal that is incentive-based only." Further: "There is no disincentive if the developer does not meet the goal."<sup>95</sup>

**g. Cancellation of SEP-14 / Local Hire Pilot Program**

On January 18, 2019 the "Savei81.com" website was advertising SEP-14 as if it were still in existence and a driver for employing local Syracuse residents. But it is not. On October 2, 2017, the USDOT, under President Donald Trump's administration, published a withdrawal of the pilot program. The statement ruled that "Grantees and sub-grantees will conduct procurements in a manner that prohibits the use of statutorily or administratively imposed in-State or local geographical preferences in the evaluation of bids or proposals, except in those cases where applicable Federal statutes expressly mandate or encourage geographic preference."<sup>96</sup> That is, where SEP-14 had permitted governmental agencies receiving federal funds to employ geographic preferences, the action published on October 2, 2017 cancelled the SEP-14 LLHPP (along with another program, the FHWA HUD Livability Local Hire pilot).<sup>97</sup>

Reportedly, CDOT's SEP-14 application was filed around the same time that NYSDOT was putting together a SEP-14 application for Syracuse's I-81 Viaduct Project.<sup>98</sup>

Indeed, NYSDOT officials submitted a seemingly qualifying SEP-14 application for the I-81 Viaduct Project in December 2016. However, their application was rejected by USDOT. Two factors were, reportedly, paramount in the rejection: (a) the absence of a published "Request for Proposals" from NYSDOT, and; (b) the fact that NYSDOT had not yet chosen an "option" for the project. With the Trump administration's recent cancellation of SEP-14, the door has closed on NYSDOT's ability to seek federal support for geographic preferences aimed at

hiring local workers from the very city where the I-81 Viaduct Project will take place.<sup>99</sup>

Now, *only with new, creative, community-oriented thinking* can I-81 construction create good, high-paying, high-skilled jobs for qualified local workers.

#### **h. Thinking Outside the Box**

Forward thinking is needed if our community is serious about seizing the opportunity of a large transportation infrastructure project to employ qualified city residents who live, and suffer, within one of the most economically disadvantaged cities in America. Without SEP-14, NYSDOT cannot incentivize contractors (whether DBE or not) to hire local workers for I-81. However, a number of possibilities for creative solutions exist, none of which this report is proposing. But we do wish to make the community aware of them.

However, we will first describe our understanding of the Project Labor Agreement. The PLA is highly important because of the fact that the New York Governor's office, from George Pataki to Andrew Cuomo, has been encouraging State agencies to consider using PLAs.<sup>100</sup> Such encouragement is significant since NYSDOT is the lead on the I-81 Viaduct Project.

## **B. Project Labor Agreements (PLAs)**

### **1. Concept of a PLA**

A PLA is a mechanism by which labor unions obtain work on infrastructure projects.

Construction work involves many craft workers, including electricians, carpenters, painters, and laborers. While laborers are not always viewed as the highest-skill workers, they do learn the basics of important, quality craft practices, particularly in carpentry.

Since high quality craft work generally requires highly skilled, highly practiced craft-persons, a PLA that is negotiated with, and adhered to by, members of trade unions can ensure a positive flow of highly skilled workers on large public works projects such as the upcoming I-81 Viaduct Project.

Interviews with both trade union officials and unionized craft-persons emphasized that union training in the crafts (electrical, carpentry, plumbing, etc.) has a clear focus on safety. One union member described union training as “top notch” and “the best in the country.” Union officials emphasized that unions refuse to cut corners on safety training, or in any way compromise on implementation of safety standards. Their comments of conviction suggest a unionized worker is well-versed in safety methods and practices. Unions might argue that a PLA can satisfy a steady flow of well-skilled, safety-conscious workers.

### **2. Congressional Review of PLAs**

Despite criticism of, and opposition to, the PLA structure by non-union contractors, a 2010 Congressional study of PLAs could not find any evidence for a detrimental effect of PLAs on construction projects.<sup>101</sup>

Among the expected benefits of a PLA, according to the Congressional Research Service study, are:

- **Uniformity** – in wages, benefits, overtime pay, hours, working conditions, work rules;
- **Reliability** – a reliable, uninterrupted source of qualified workers at predictable costs in wages and benefits;
- **Single Management Standard** – a single collective bargaining agreement eliminates varied wage and benefit structures, with a single expiration date for the agreement;
- **Timeliness** – predictability and a single management standard make on-time, on-budget completion more likely;
- **Dispute Resolution** – provide both “binding procedures for resolving labor disputes that may arise” and “other mechanisms for labor and management cooperation on ... productivity, quality of work, safety, and health;
- **Safety Standards** – require “contractors and workers to comply with project safety rules”;
- **Quality of Workmanship**

More formally, a PLA is a type of collective bargaining agreement rooted in constitutionally protected legal rights under the National Labor Relations Act (NLRA) of 1935. The NLRA gives most workers the right to form or join a union, and to bargain collectively – as a group and on an equal footing with their employer. A PLA is a form of legally protected collective bargaining with the government.<sup>102</sup>

**a. Executive Order 13502**

When President Barack Obama signed Executive Order (EO) 13502 in February 2009, he encouraged the use of PLAs on large-scale construction projects where the total cost to the federal government is \$25 million or more. According to the non-partisan Congressional Research Service:

“The EO states that agencies may require a PLA if it will ‘advance the Federal Government’s interest in achieving economy and efficiency in Federal procurement, producing labor-management stability, and ensuring compliance with laws and regulations governing safety and health, equal employment opportunity, labor and employment standards, and other matters.’<sup>103</sup>

In the final regulations (starting May 13, 2010), the general requirements “allow all contractors and subcontractors to compete for contracts and subcontracts whether or not they are otherwise a party to a collective bargaining agreement.”<sup>104</sup>

**b. National Contractors and EO 13502**

In January 2018, John Grau, the Chief Executive Officer of the National Electrical Contractors Association (which identifies itself as “The Voice of the Electrical Construction Industry”), sent a letter to President Trump in support of EO 13502.<sup>105</sup> CEO Grau stated “the EO has shown real value to the federal government by limiting the risk assumed by federal agencies when contracting with various employers.”

Further, Grau’s letter argued that the value of a PLA has been carefully weighed against its costs. It has been used sparingly, but to achieve “economy and efficiency” per federal guidelines. Indeed, he noted that,

“since the promulgation of the EO, very few Federal projects – as few as 12 out of 1,173 – have utilized a PLA. In those cases where the PLA was utilized, the agency sought to protect investments by the American taxpayer from the complexities of organizing work schedules, differing trades, thousands of man-hours, payment arrangements, change orders, and other terms and conditions such large-scale projects entail.”

In light of a multitude of factors, including CEO Grau’s comments, the size and complexity of the I-81 Viaduct Project, the New York State Governor’s Office’s robust support for PLAs, and Executive Order 13502, we expect a PLA will govern I-81 construction. That said, three important outcomes remain unclear: (a) when a PLA will be negotiated, (b) what the terms and conditions of the PLA will be, and (c) how much State and Federal leaders will fight to help struggling communities, such as ours in Syracuse, realize real community benefits through a PLA.

### **3. Review of PLA Benefits**

In addition to workplace efficiency and economy, a PLA can be constructed with the social and community impact in mind.

#### **a. Infrastructure has a Context**

Infrastructure development does not exist in a vacuum. Indeed, as this report demonstrates, infrastructure affects the community in deeply significant ways. Among the socioeconomic ramifications, the USDOT noted in 2015 that “[t]ransportation investments and policies can improve access to jobs, education, and goods movement, while providing construction and operations jobs.”<sup>106</sup>

Additionally, Los Angeles County Supervisor Mark Ridley-Thomas stated in 2011, while encouraging adoption of a PLA for a metro line construction project: “An investment in our physical infrastructure is incomplete without a similar investment in our human capital. Anything less is not only economically unsound, it is immoral.”<sup>107</sup>

#### **b. Transportation Infrastructure and the Public Interest**

Any city, any community that wants to be “built with justice and shared prosperity” in mind<sup>108</sup> has reason to make the argument that public transportation infrastructure projects are the production of “public goods.”

Bow-tied or not, economists and political scientists have much to say about public goods. But practically any definition of public goods agrees, roughly, on four elements. A public good is a good or service that: (1) serves a widely felt need (e.g., a vehicle highway to travel rapidly; or, a pedestrian-vehicle grid that makes a city more walkable); (2) is accessible (and affordable) to all (e.g., low or no tolls to drive the road); (3) is not diminished in availability by widespread use (e.g., no matter how often you drive it, your neighbors can too), and; (4) requires collective action for

its production because of its expense (e.g., public tax dollars).<sup>109</sup> Transportation infrastructure fits this rough definition.

Additionally, a public good has the quality of benefiting society as a whole. The benefit is widespread and, generally speaking, there is no roadblock to getting the benefit. In this sense also, transportation infrastructure is a public good. It promotes efficient economic exchange by virtually anyone, and economic development for society at large.

And if the public interest is served by access to public goods (i.e., justice) and widespread sharing in their benefits (i.e., shared prosperity), then in that sense, transportation infrastructure is in the public interest.

That said, our region's collective experience tells us that transportation infrastructure can also cut against the public interest. For example, I-81 divided Syracuse in many different ways, undermined local government's accountability to its citizens, and produced an on-going health threat among residents nearby.

With that caveat noted, the construction work to improve a *public interested* public good like transportation infrastructure is then itself part of the public interest. Infrastructure construction cannot be separated from the public funding (a form of collective action) that brings the collective benefit (i.e., the transportation infrastructure's alteration for the better) into existence. Infrastructure construction jobs, as noted in the quotation that begins this section, are a significant public benefit of public infrastructure projects that can serve the public interest elements of justice and shared prosperity.

Added to Ridley-Thomas's observation (cited earlier), investment in local workers from historically disadvantaged local communities to build local transportation infrastructure is a good investment in the public interest.



Indeed, this reasoning resonates with the purpose of such programs as the Disadvantaged Business Enterprise program. Namely, to “level the playing field”<sup>110</sup> for all members of the community seeking access to the opportunities from projects in the public interest.

**c. PLAs and Provisions for Equity**

In 2011, three researchers from Cornell University’s Institute for Labor Relations published a study of PLAs that incorporated Community Workforce Agreements (CWAs). The paper, titled “Community Workforce Provisions in Project Labor Agreements: A Tool for Building Middle Class Careers” was authored by Maria Figueroa, Jeffrey Grabelsky, and Ryan Lamare (“Figueroa et al.”).

According to Figueroa et al., CWAs vary in content, but include important measures of “targeted hiring and career development.”<sup>111</sup> These measures provide union apprenticeship training and employment (and pre-apprenticeship training, when needed) for local workers on PLA-covered projects. The authors conclude that PLAs with CWAs can effectively promote “equal employment and career opportunities for residents of low income communities, women, minorities, and disadvantaged or at risk populations.”<sup>112</sup>

They also examined outcomes-to-date on three PLAs with CWAs: Cleveland (2007), Washington, D.C. (2007-2008), and New York City (2009-10). Those projects demonstrated a fairly close relationship between CWA provisions in PLAs and success with hiring apprentices from targeted local worker populations.

The authors emphasized, however, the importance of the implementation and monitoring process. A monitoring committee with committed partners – including invested community voices – that meets regularly is necessary to ensure compliance and success. As an example of the tone that successful committees may take on, the

authors cite former Cleveland University Hospital Vice-President Margaret Hewitt. She said regular meetings among unions, hospital management, and city representatives were highly effective for “averting challenges and confronting issues head on.”

**d. LA Metro**

Another leading example of the benefits of PLAs with CWA provisions is Los Angeles County. One important example of this is the PLA between the Los Angeles County Metropolitan Transportation Authority (LACMTA), and the Los Angeles County - Orange County Building and Construction Trades Council and Local Unions (LA/OC BCTC). The PLA covers multiple projects. As of 2011, Phase II of the Los Angeles County light rail project was estimated to cost \$1.6 billion and to generate 6,700 construction jobs.<sup>113</sup>

A close reading of the LA Metro’s PLA reveals several pages of workforce equity provisions (i.e., CWAs). But perhaps a 2016 study by the Partnership for Working Families best summarizes the provisions:

- “**30%** of the construction jobs [will be] allotted to communities experiencing high levels of unemployment,[in 2 Tiers:]
  - Tier 1: Zip Codes within 5-mile radius of project
  - Tier 2: L A County zip codes w/ 120% of county unemployment
- 10%** of the jobs allotted for disadvantaged individuals with barriers to employment
  - Disadvantaged is defined as an individual whose primary place of residence is within the Los Angeles County and who either (a) has a household income of less than 50% of the area median income or (b) faces at least one of the following barriers to employment: (1) being homeless; (2) being a custodial single parent; (3) receiving public assistance; (4) lacking a GED or high school diploma; (5) having a criminal record; or (6) suffering from chronic unemployment
- 50%** of apprentice hours completed by local area residents”<sup>114</sup>

**e. Government-Labor-Community Partnership**

CWAs need political will to make them work, and a non-PLA supportive structure to be successful. A prime example of this success is in Los Angeles County, through four inter-related efforts: 1) a union-sponsored pre-apprenticeship “boot camp”; 2) a government-based (i.e., Los Angeles Community Redevelopment Agency and LA County Metropolitan Transit Authority)<sup>115</sup> workforce development program; 3) numerous CWAs on both PLA *and* non-PLA projects negotiated by worker advocates with builders, and; 4) championing of CWAs by political leaders. Los Angeles County is successfully placing approximately 60% of pre-apprenticeship entrants, and perhaps 80% of pre-apprenticeship class graduates, in skilled construction work.<sup>116</sup>

Community involvement has been critical. Community involvement has not only kept job opportunities available to graduates through CWAs, but also built political will to bring more builders on board with workforce agreements that include community residents. The Los Angeles Alliance for a New Economy has helped develop the construction careers framework adopted by the LA Metro PLA that matches the supply of graduates from new pre-apprenticeship classes to jobs.

**f. Side Letters**

A side letter is a document additional to the PLA. It is a binding agreement on signatories to a PLA, is separate from the PLA, but is used by the parties to the PLA for various and important reasons. Often, it clarifies an issue in the PLA; it can even be used to modify the original terms of the PLA.<sup>117</sup>

Of critical importance to the success of CWA provisions for hiring local workers is a side letter about apprenticeship ratios, combined with an enforced allotment of work hours for apprentices. An important variable is work hour ratios; for every five hours of journeyperson work, how many hours will be allotted to apprentices? An enforceable CWA provision would provide a guarantee that

apprentices will receive work. For example, in the PLA for Nationals Stadium (Washington, DC), it appears that apprentices were allotted 25% of total hours by craft; however, enforcement problems may have undermined the stated CWA commitment.<sup>118</sup>

**g. Community Benefits, and their non-PLA Corollary**

Another process for bringing the community benefits of public infrastructure projects to fruition is a Community Benefits Agreement, or CBA. CBAs do not necessarily accompany CWAs in (or outside of) a PLA. Indeed, in 2014 the Urban Jobs Task Force attempted to negotiate a CBA around the COR Inner Harbor development project, regardless of a PLA. Further, Colorado's I-70 project, which does not utilize a PLA, has a clearly defined set of Community Commitments that are a mix of community improvements and acts of community sensitivity. How the commitments were developed, and by whom, merits further investigation. And while they may be less substantial than what a community-negotiated CBA could produce, they clearly demonstrate (1) governmental recognition of the impact a public infrastructure project makes on a community, and (2) the importance of paying as much attention to the community and its needs as to the highway construction itself.

Among the Colorado I-70 Project "Community Commitments" are:<sup>119</sup>

- \$2 million for affordable housing in two low-income neighborhoods bisected by I-70 <sup>120</sup>
- Storm windows and air conditioning units, along with a utility bill subsidy, for some residents to reduce construction dust exposure
- Installation of an air quality monitoring station
- \$100,000 to improve access to fresh food
- Leveraging a \$400,000 USDOT grant for local workforce development directly tied to the project
- Construct two new classroom-sized additions at a nearby school
- Provide incentives for carpooling to reduce traffic during construction

#### 4. Potential Limitations of an I-81 PLA

**Exclusionary Economic Development:** Unless leaders of New York State get behind the community on local worker training, hiring, and long-term employment, any PLA is unlikely to be sensitive to the destructive history of I-81 within, and upon, the Syracuse community.

**Failure to Commit to Goals of CWAs:** Even if Community Workforce Agreements are negotiated into an I-81 PLA, CWAs are not foolproof. Indeed, Figueroa et al. have noted the importance of “flexibility” in two areas.<sup>121</sup> One is in “formulating [hiring] targets to fit the characteristics of the labor market” (i.e., know your labor pool). And the other is in “adjusting processes and plans along the way to address unanticipated challenges.” As indicated earlier, a committed oversight committee is of critical importance to achieving the goals of CWAs.

By way of example, the Washington D.C. PLA (a \$611 million project to build the Washington Nationals Ballpark), which had four serious-minded CWA provisions, fell short in various respects. Exactly how concerning the shortage should be perceived is a bit unclear. Figueroa et al. passes lightly over shortcomings in the goals for hiring D.C. residents as apprentices (off goal by 15%), for providing sufficient work hours to D.C.-resident journey persons (off goal by 50%), and for total craft hours worked by apprentices (off goal by 25%). Further, they imply the ballpark project received high praise from community leaders as “a model for future public works.

Meanwhile, a 2007 study by the Washington D.C. District Economic Empowerment Coalition, “Broken Promises, Big Losses,” takes vocal exception to violation of the four CWA provisions (the fourth being that 51% of new hires must be DC residents; however, Figueroa et al. indicate this commitment was honored). The District Coalition’s study was published prior to independent verification of all

data. Nonetheless, preliminary data (consistent with findings in both studies) showed that, among other things, DC residents failed to receive an agreed-upon 150,000 regular work hours as high-paid journeypersons, and failed to receive any portion of approximately 57,000 agreed-upon apprentice work hours that never materialized.<sup>122</sup>

## **C. Possible Creative Approaches to Equity on I-81**

In the context of what this report presents, what creative approaches to the I-81 Viaduct Project could be used in pursuit of maximum, community-centric equity?

### **1. Trade Union Need**

Our research and investigation strongly suggests that the Central New York Trade Unions are eager for new, young, minority (including minority women), workers to enter several of the trade crafts as union apprentices. If prior experience is any guide, such persons would currently face tremendous social obstacles to following through on an apprenticeship program (especially transportation and child care). But if those obstacles could be minimized through state, county, city, and trade union supports, local workers from particularly hard-hit Syracuse communities could be party to the unions that will be part of an expected PLA with NYSDOT on the I-81 Viaduct Project.

### **2. CWAs with Effective Monitoring and Oversight**

New York State political leadership, on any and every level, could provide their support for the negotiation of quality Community Workforce Agreements in a PLA by NYSDOT with the Central New York Trade Unions (and any additional partners). Part and parcel to the inclusion of any CWAs would be a committee of committed partners – union representatives, government officials, community

advocates, large contractors – meeting monthly and monitoring the implementation of the agreements to work out small issues before they become big problems.

### **3. Pre-Apprenticeship Re-Design**

Pre-apprenticeship programs could be re-designed. Among those program items that could be changed to better prepare a student for union apprenticeships include: (a) using the most relevant trade union curriculum in class work (i.e., MC3 curriculum); (b) extending the program to 12 weeks, covering much more than what is covered in programs that are sometimes as short as four weeks, and; (c) providing pre-apprentice students a \$15-an-hour / 35 hour per week weekly wage to support the student's complete focus on the program.

### **4. A “Big Table”**

Namely, regular meetings among an agreed-upon group of NYSDOT officials, trade union leaders, community workforce developers, community equity advocates, and state-level political leaders to discuss, among other things, the nuts-and-bolts of union-ready pre-apprenticeship training, community workforce agreement language, and community outreach for the identification, and recruitment, of qualified local workers.

## Section IV

# Racial Diversity on Large Scale Municipal Projects in the Syracuse Area

Section IV of this report reviews our findings on racial disparities on five local construction projects. Section IV is divided into five parts:

- A. Overview of our Analysis
- B. The Projects
- C. Project Labor Agreements
- D. Findings
- E. Conclusion

### **A. Overview of our Analysis**

The I-81 Viaduct Project will be one of the largest public construction projects ever undertaken in Syracuse. Equity demands that the workforce on the I-81 Viaduct Project be reflective of the racial diversity of the city where it will take place. Our report to this point shows why there is such a need. We know from the history of I-81 the negative impact public projects and collateral governmental policies have, and continue to have, on minorities living in Syracuse. We know there are racial disparities in the current Syracuse construction workforce. We know that to combat racial disparities, governmental agencies and municipalities implement diversity goals on public projects. Unfortunately, until now there has been little data on the demographics of construction workforces in the Syracuse area.

When UJTF and LSCNY started discussing racial disparities on construction sites, we continually arrived at two questions: where is the data? And what does it tell us? We believe that these questions are important for bringing context to the issue of racial disparity in the construction trades, so we took it upon ourselves to



locate and analyze data from local municipal projects and then assess race realities on construction sites. In this section of the report we examine the following projects:

- Syracuse Hancock International Airport Terminal Improvement Project (“Hancock”);
- Lakeview Amphitheater Project (“Lakeview”);
- State Fairgrounds Project (“Expo Center”);
- I-690 Teall Avenue and Beech St. Design-Build Project (“I-690”);
- Syracuse Joint School Construction Board Phase II Project, a renovation project of Syracuse City Schools (“JSCB”).

From our analysis of the data, we are able to draw the following conclusions about workforces on public construction projects in the Syracuse area:

- Construction workforces on public projects are overwhelmingly white;
- Similar racial disparity exists across projects;
- White workers in the construction trades reap the benefits of historical advantages;
- Minority workers are underrepresented in project workforces at large and within individual contractors; and
- Project Labor Agreement hiring provisions are necessary to create access to opportunities, but are apparently insufficient by themselves to create workforce equity.

## **1. Why these five projects?**

We utilized two criteria in deciding which construction projects to investigate. First, each project was publicly funded. Second, each project was governed by a Project Labor Agreement (“PLA”).

These criteria were determined based on what we know or can reasonably assume about the I-81 Viaduct Project<sup>123</sup>. We know that the I-81 Viaduct Project’s funding will be public. There is also a reasonable likelihood that one or multiple

PLAs will govern union involvement and hiring on the I-81 Viaduct Project. We believe using these two criteria provides a level of comparability between the workforces on these five projects and the likely workforce on I-81.

Beyond comparability with I-81, focusing on public projects was useful as it provided a practical means to obtain data. The New York Freedom of Information Law (“FOIL”)<sup>124</sup> provided an access point to the records for each project because they were public.

## **2. Brief Review of Methodology**

Appendix A contains a detailed review of our methodology in analyzing the data we received.

For three of the five projects – the Hancock, the I-690, and the Expo Center – we obtained our data through FOIL<sup>125</sup> requests. For the two other projects – the Lakeview and the JSCB – the municipal authorities controlling the projects gave us the data we requested.

These five projects provided us with 3,909 unique records. These records provided a clearer picture of the workforce by identifying such information as worker’s rate of pay, weekly pay rate, union membership and classification, and in many instances zip codes, gender and race.

PLAs were received from each project. We reviewed each PLA, focusing particularly on the language, or lack thereof, requiring or allowing for more diverse hiring on the project. With each project, we will review each PLA. Our review of the PLA language for each project is done to contextual the data and in the hopes of drawing conclusions about how the PLA language impacts racial diversity on worksites.

Another important piece of our methodology is our labels for race. The data we reviewed did not label race uniformly. For instance, some projects used “African-American” while others used “Black.” Throughout this report, when labeling race we attempted to use the term that is most inclusive. We came to these decisions by talking to people and gathering input from a number of different sources.

## **B. The Projects**

### **1. Hancock**

This is a \$60 million modernization project of the passenger terminal at the Syracuse Hancock International Airport. The State is allocating \$35.8 million with the remainder coming from federal and local funding.<sup>126</sup> \$49 million of the \$60 million was allocated for construction. At the time when we analyzed the data on this project, the project was still ongoing.

### **2. Lakeview**

This was a nearly \$50 million construction project that built a large, outdoor event complex on the bank of Onondaga Lake. Onondaga County was the primary funder of the project. Construction began in 2014 and was completed in August 2015.<sup>127</sup>

### **3. Expo Center**

In 2015, the state began a large scale, renovation project of the New York State Fairgrounds. While this project included numerous renovations to the fairgrounds, we focused on the newly built Exposition Center. The \$63 million Expo Center is a 136,000 sq. ft. building within the New York State Fairgrounds<sup>128</sup>. While a number of firms were part of the design-build of the Expo Center, the PLA identifies, the project manager as Gilbane Building Company<sup>129</sup> and the state agency running the project as the New York State Office of General Services.

#### **4. I-690**

This is a reconstruction project replacing a  $\frac{3}{4}$ -mile section of the I-690 highway, including a 1,500-foot viaduct over Beech Street, and replacing the bridge over Teall Avenue in Syracuse. The project is run by the New York State Department of Transportation (“DOT”) using both state and federal funds. The project has a \$65 million budget<sup>130</sup> and was still under construction at the time of this report.

Importantly, since I-690 is a highway construction project it might be the most comparable to the upcoming I-81 Viaduct Project. In fact, I-690 was previously part of the I-81 Viaduct Project until the DOT separated it into its own project.

#### **5. JSCB**

The JSCB is working to renovate up to 15 Syracuse City School District buildings. The Board is run by seven members with six advisory staff. The primary reason for including this project is to review the corresponding PLA. Of the five PLAs which we reviewed, the JSCB PLA contains more provisions to encourage local and diverse hiring than any other. While we reviewed a limited amount of data on the project, it is important to highlight a PLA containing provisions that encourage local and diverse hiring.

### **C. The Project Labor Agreements**

As set forth in greater length in Section III, PLAs codify the relationship between contractors and unions for the duration of a project. Most importantly for this section of the report, PLAs control hiring. We reviewed each project’s PLA focusing on the hiring provisions to see how those hiring provisions attempted to diversify the worksites.

## 1. Hancock

The parties to the PLA are C&S Engineers, Inc. as project manager for the Syracuse Regional Airport Authority, the Central and Northern New York Building and Construction Trades Council, AFL-CIO, and 28 local union signatories. Even though not signatories, any contractor awarded work on the project must agree to be bound by the PLA and its hiring requirements. Within this PLA, there are no requirements directly addressing minority and women hiring.

Article 4<sup>131</sup> – Union Recognition and Employment – controls hiring on the project. Section 2 of Article 4<sup>132</sup> is referred to as the hiring hall provision. This section requires that all contractors hire union workers on the project. Certain exceptions are included such as if a union is unable to fill a request for a qualified worker within 48 hours the contractor may hire from another source.

Another exception to the hiring hall provision is a procedure (referred to as the special procedure) where a contractor can hire an individual by name from a union. How and when this procedure is used is unclear. In order to utilize this procedure, the contractor must demonstrate the named person meets four qualifications:

- “(1) possess any license required by NYS law for the Project Work to be performed;
- (2) have worked a total of at least 1000 hours in the Construction craft during the prior 3 years;
- (3) were on the Contractor’s active payroll for at least 60 out of the 180 calendar days prior to the contract award;
- (4) have the ability to safely perform the basic functions of the applicable trade.”

If a union member meets the four qualifications, a contractor can utilize this special procedure and request that member by name. There are two important limitations within Article 4 in regards to utilization of this procedure.

First, there is a maximum of 25% on the number of employees who can be hired utilizing the special procedure. Second, the first three employees of a contractor must be taken through the union's job referral system or hiring hall, and, as we understand it, the fourth employee can be requested under the special procedure. This special procedure is found in all of the PLAs reviewed.

Besides Article 4, there is scant language elsewhere in the PLA about hiring. The PLA has no provisions that require hiring a certain percentage of minority or women employees. The only other significant hiring provision is in an attached side letter<sup>133</sup>.

The side letter allows for an exemption to the hiring hall procedures for certain subcontractors if that subcontractor is designated within a contractor's Minority/Women/Disadvantaged/Service Disabled Veteran Business Enterprises Utilization Plan. These subcontractors may hire one of their existing employees as their first employee on the project. After the first employee, additional hires alternate between a hiring hall referral and the subcontractor's employees until all of the subcontractor's positions are filled.



Presumably the language in this side letter is a mechanism to try to diversify the workforce. The rationale being that MWBEs are more likely to have minority employees and allowing them to hire their own employees will create greater racial diversity on the project.

## 2. Lakeview

The Lakeview PLA parties are Gilbane Building Company as General Contractor, the Central and Northern New York Building and Construction Trades Council, AFL-CIO, and 18 local union signatories. Even though not signatories, any contractor awarded work on the project agrees to be bound by the PLA and its hiring requirements. This PLA contains more robust hiring and diversity requirements than the Hancock PLA.

Article 4 of the Lakeview PLA contains the hiring hall procedure. Sections 1 through 3 of the Lakeview PLA are identical to the Hancock PLA. A significant difference in the Lakeview PLA from the Hancock PLA is found at Article 4, section 4<sup>134</sup> entitled “Minority/Female Referrals” and states, in part:

“The Unions recognize and acknowledge that a combined workforce diversity goal of 20% minority and women are labor employment goals. These percentages are based upon hours worked, by craft, without waiver or exception. In the event a Local Union either fails, or is unable to, to refer qualified minority or female applicants in percentages equaling the diverse workforce goals, the Contractor shall make a good faith effort to employ qualified minority or female applicants from any available source.”

This language is beneficial to diversify the workforce because it contains specific EEO goals.

The side letter<sup>135</sup> of the Lakeview PLA provides additional hiring provisions. The side letter is broken into two sections: 1) Referrals for Subcontractors Defined as Small Businesses; and 2) Referrals for Subcontractors Working as Approved M/WBE Businesses. As to the former, if a subcontractor is defined as a small business<sup>136</sup> it is exempt from the hiring hall procedures of Article 4, section 2. Instead, the small business can hire its first employee from its own staff, then three employees referred by the trade union. Thereafter, starting with and including the

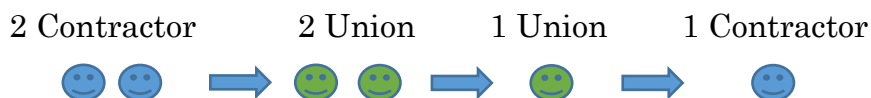
5<sup>th</sup> employee, the subcontractor must hire 3 employees referred by the trade union before it can hire one of their own employees. This 1-3-3-1 scheme continues until all employees needed by the subcontractor on the job are hired.

### Lakeview Side Letter Hiring Scheme - SBA



The second section of the side letter allows an exemption from the hiring hall procedure for subcontractors who have been designated as MWBEs<sup>137</sup>. These subcontractors are allowed to hire two of its own employees first, then the next two must come from the hiring hall. Starting with the 5<sup>th</sup> employee, the subcontractor must take one hiring hall referral and then one of its own employees. Hiring alternates between hiring hall and employee until all subcontractor's positions are filled. Under these rules hiring takes on a 2-2-1-1 scheme.

### Lakeview Side Letter Hiring Scheme - MWBE



The Lakeview PLA contains stronger language to encourage diverse hiring than most of the other PLAs reviewed.

### 3. Expo Center Project

The Expo Center PLA parties are Gilbane Building Company as Project Manager, the Central and Northern New York Building and Construction Trades Council, AFL-CIO, and 18 local union signatories. Even though not signatories, any contractor awarded work on the project agrees to be bound by the PLA and its hiring requirements.

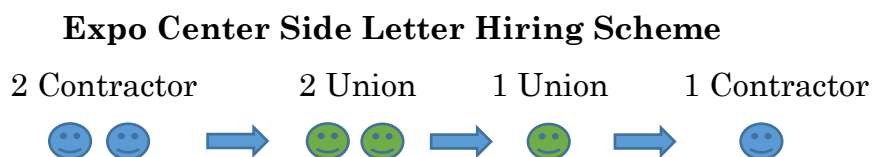


The Expo Center PLA relies on Article 4<sup>138</sup> for the hiring procedures on the project. These mostly remain the same in this PLA as in the Hancock and Lakeview PLAs. Like the Lakeview PLA, the Expo Center PLA contains a Section 4 in Article 4, but with noticeable differences.

Article 4, Section 4<sup>139</sup> is entitled “Minority/Female Referrals.” This section informs the unions that contractors and subcontractors will take on or continue EEO programs with the purpose of ensuring minority and women participation on the project. This section reaffirms the legal obligation of an employer not to discriminate and that the unions will affirmatively cooperate in the implementation of the contractor’s hiring obligations.

Unfortunately, unlike the Lakeview PLA which contains specific goals for minority/female hiring in a similarly titled section, the Expo Center PLA contains no specifics on what EEO goals govern the project. While EEO goals may exist on the project, they are not specifically referenced within the PLA.

A side letter<sup>140</sup> creates an exemption to the hiring hall procedure of this PLA. Any business identified in the contractor’s approved Minority/Women’s Business Utilization Plan is exempt from the hiring hall procedure and allowed to hire two of its own employees first. After the first two hires, the MWBE must hire two employees from the hiring hall. Starting with the fifth hire, employee selection alternates between the hiring hall and the business until all positions are filled.



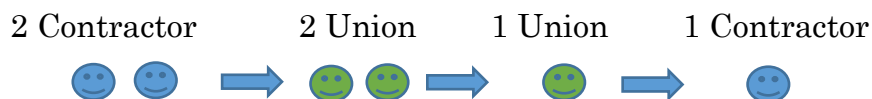
#### 4. I-690

The parties to the PLA are the NYSDOT, a designated General Contractor for the project, the Central and Northern New York Building and Construction Trades Council, AFL-CIO, and 18 local union signatories. The I-690 PLA is similar to the other PLAs we reviewed.

The I-690 PLA and the Expo Center PLA are nearly identical. This is especially true in Article 4<sup>141</sup>. Article 4, section 2 has identical hiring hall language. As does Article 4, section 4, regarding minority/female referrals. The criticisms of the Expo Center PLA – the lack of specific EEO goals within the PLA – remain the same for the I-690 PLA.

The PLA side letter<sup>142</sup> also contains hiring exemptions on the project. The I-690 side letter contains the same exemption as the Expo Center PLA. The I-690 side letter exempts any subcontractor identified in the contractor’s approved Minority/Women’s Business Utilization Plan from the hiring hall procedure and allows hiring two of the subcontractor’s employees first. After the first two hires, the contractor must hire two from the hiring hall. Starting with the 5<sup>th</sup> hire, employees alternate between hiring hall referrals and contractor’s employee until all positions are filled.

#### I-690 Side Letter Hiring Scheme



## 5. JSCB

### a. JSCB's Development and Diversification Plan for Workforce and Business

One important aspect of the JSCB PLA is the incorporation of the JSCB's Development and Diversification Plan for Workforce and Business (the "Diversification Plan")<sup>143</sup>. The Diversification Plan is referenced throughout the PLA. An overview of the Diversification Plan is helpful prior to reviewing the terms of the PLA.

The stated purposes of the Diversification Plan are<sup>144</sup>: "1) develop strategies that will create a more diverse workforce and ensure participation of minority and women-owned businesses; and 2) address accountability for attainment of the diversity goals." To achieve this plan, the Diversification Plan has two type of goals: "1) workforce and resident participation goals; and 2) MWBE participation goals."

The Diversification Plan's workforce and resident participation goals are<sup>145</sup>:

- a. Minority Workforce: 10% of project personnel hours including skilled trade's people, journeymen, apprentices, and supervisory staff.
- b. Female Workforce: 10% of project personnel hours including skilled trade's people, journeyman, apprentices, and supervisory staff.
- c. Workforce Limits: Only 25% of project personnel hours can be counted toward the Workforce Diversification goals through the utilization of clerical "back office" or support staff. This limitation does not apply to Professional Services (sic).
- d. Residency Goal: 20% of project personnel hours for professional service firms or construction contractors retained by the JSCB, shall be met, if possible, through the hiring of residents of the City of Syracuse as defined by Postal Zip Code. This includes a minimum 2% of project personnel hours, including skilled trades' people, journeyman, apprentices and supervisory staff for current or former SCSD students."

The Diversification Plan's MWBE participation goals are<sup>146</sup>:

- a. MBE: 12% of each contractor or purchase order.
- b. WBE: 8% of each contract or purchase order."

Along with these goals, the Diversification Plan includes accountability procedures<sup>147</sup>. All contractors, suppliers, professional service firms or other businesses providing goods or services with a JSCB contract over \$50,000 are required to submit monthly reports regarding their compliance with the goals to the City's Compliance Officer ("CCO") and an Independent Compliance Officer ("ICO"). The Diversification Plan sets forth the type of reporting required. If a goal is not met, the CCO and ICO can then investigate whether good faith efforts have been made to meet it. There is a hearing procedure should a good faith effort not be met or reporting not be complied with. Numerous penalties could be imposed should a no good faith finding be made.

The Diversification Plan is by far the strongest workforce diversity and local hiring document we reviewed. Along with setting forth specific goals for both workforce and MWBE participation, the Diversification Plan's inclusion of substantial monitoring procedures and penalties gives those goals teeth.

**b. The JSCB Phase II PLA**

As with all of the PLAs reviewed for this report, Article 4 of the JSCB PLA contains the provisions for union hiring. The hiring hall terms of Article 4, section 2 are the same as all other PLAs. Beyond section 2, there are notable differences in sections 3 and 4 of Article 4.

Article 4, section 3<sup>148</sup>, is entitled "Non-Discrimination in Referrals". Section 3 specifies that seniority or other union preferences will not be used to frustrate the goals of the Diversification Plan. This language solidifies the commitment by the JSCB to have the contractors and unions on the workforce follow the defined goals within the Diversification Plan.

Article 4, section 4<sup>149</sup> is also unique to the PLAs studied. The 10% minority and 10% women workforce goal is reinforced. Pursuant to section 4, in the event a

union is unable or fails to refer qualified minority/female applicants meeting the 20% combined goals, contractors may employ qualified minority/female applicants from other sources. These sources start with JSCB approved training programs or other designated sources. The ICO determines when this provision can be used. Section 4 additionally sets forth the reporting requirements of the general contractor and the unions.

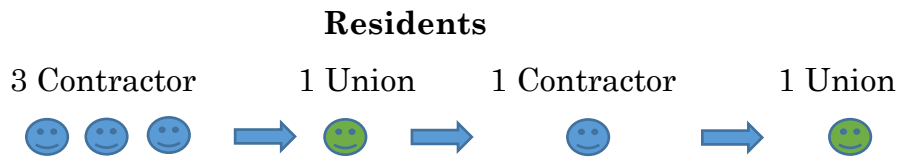
Section 4 further requires contractors to complete reports for themselves and their subcontractors on a monthly basis to be provided to the ICO. These reports must contain total hours by craft worked and of minority/women hours worked by craft. Additionally, each union is required to provide the ICO with information regarding the members who are eligible for referral within a six county area<sup>150</sup>. The information is required to include race, gender, local residency status, union classification and availability for referral.

Another unique aspect of the JSCB PLA is Article 15<sup>151</sup> which reinforces the provisions of the Diversification Plan. Per Article 15 the unions and contractors agree to support the Diversification Plan and goals therein, work with JSCB training programs, allow the ICO to conduct a pre-job conference on goals, and allow the ICO to perform site checks. All of these requirements further enforce the workforce and MWBE goals on the project.

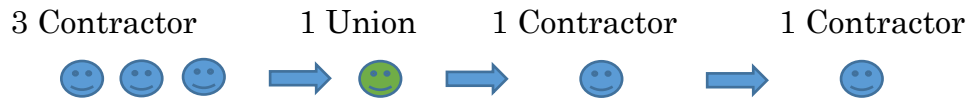
Two Side letters are also used on the JSCB PLA to promote diversification of the workforce. The first side letter<sup>152</sup> discusses trainees that are required to work on the JSCB project. Depending on whether there are seven available referrals from JSCB sponsored or approved training programs during different tranches, up to seven trainees may be placed with a prime contractor. There is also language allowing for other hires should a prime contractor not be meeting the residency requirement. This is subject to a number of exceptions.

The second side letter<sup>153</sup> allows for an exemption to the hiring hall procedure for subcontractors. Under this exemption<sup>154</sup> a subcontractor may hire up to four of its own employees. Through this exemption a subcontractor is allowed to hire three of its own employees first, the fourth employee under the hiring hall procedure, and hire the fifth from its own employees. This creates a 3-1-1 hiring scheme. However, if all five of the employees are city residents, the sixth hire can be an employee of the contractor.

**JSCB Side Letter Hiring Scheme – If 1<sup>st</sup> 5 Employees Are Not City Residents**



**JSCB Side Letter Hiring Scheme – If 1<sup>st</sup> 5 Employees Are City Residents**



The Diversification Plan, unique language within the PLA, and side letters demonstrate how commitment to local and diverse hiring can be enforced. Moreover, the numerous ways in which hiring provisions for local residents and minority employees are included illustrates their priority on the JSCB Project.

## D. The Findings

### 1. Hancock

#### a. General Demographics

Through payroll records, we identified 204 unique workers by using a combination of the last four digits of social security numbers, title, vocation, race, zip code, and company name. Of the 204 unique workers, 139 (68.14%) had their race disclosed and 65 (31.86%) did not. Table 1 below summarizes this data.

**Table 1: Workers by race**

Hancock Airport

Race	Workers	Workforce (%)
White	121	59.31
Race Not Disclosed	65	31.86
Black	10	4.90
Indigenous	4	1.96
Multiracial	3	1.47
Hispanic	1	0.49

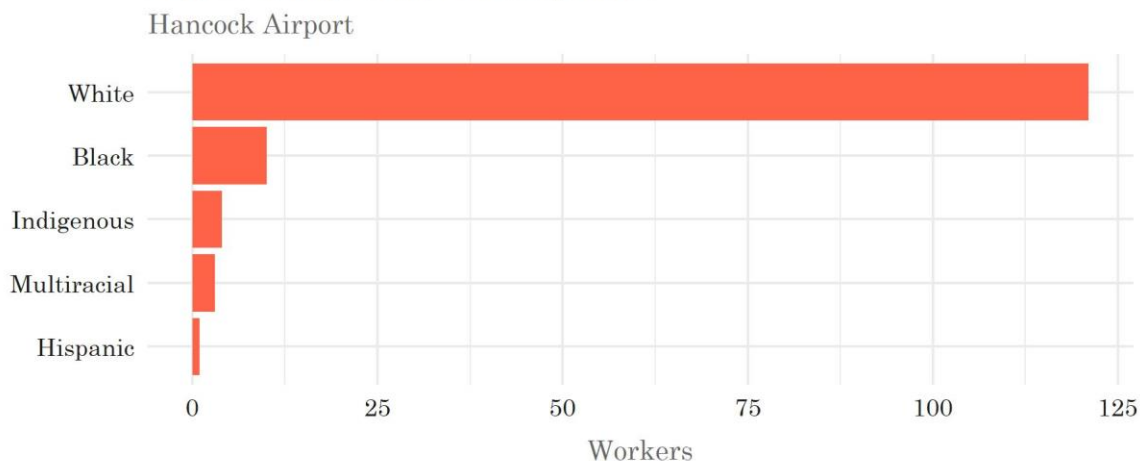
Source: Records disclosing race  
Syracuse Regional Airport Authority

Of note, when gender was identified, 100% of the employees were male. Some of the payroll records did not specify gender, so it was impossible to determine whether any women were employed on the project.

#### b. Workers by Race

As shown in Figure 1, white workers composed most of the workforce. Of the 139 unique workers with race disclosed, 121 (87.05%) were white. The remaining workers identified as: black 10; Indigenous 4; multiracial 3, and a single Hispanic worker.<sup>155</sup> The one identified Hispanic worker highlights the significant racial disparity in the Hancock workforce as that worker accounted for only 0.007% of the total workforce.

**Fig. 1: Unique workers by race**



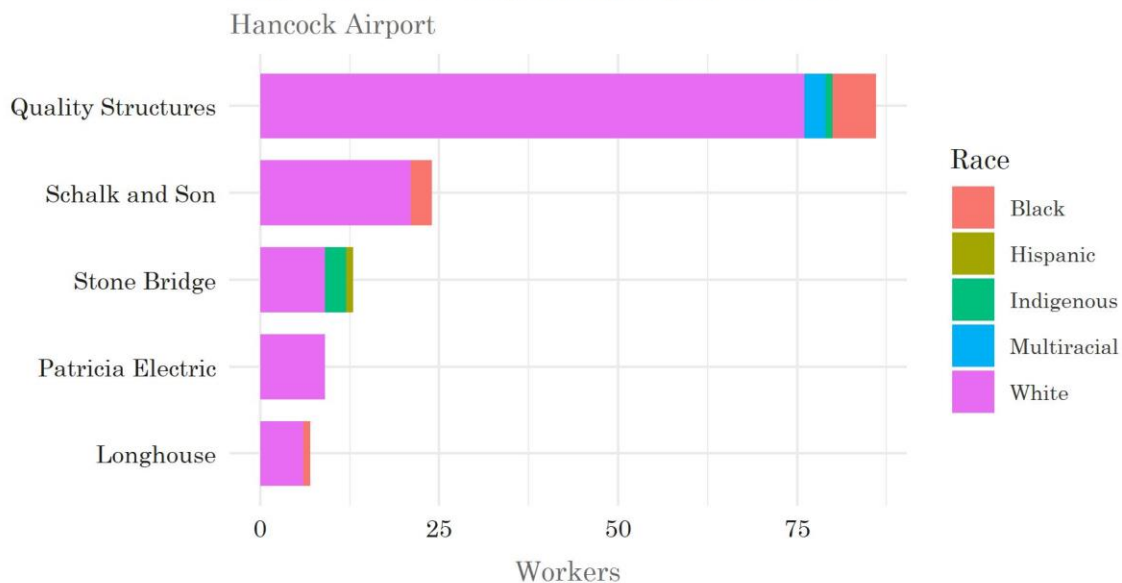
Source: Records disclosing race  
Syracuse Regional Airport Authority

Taking a further look at race by individual contractors reveals additional shortcomings. Notably when looking at employees of individual contractors, the disparities become more evident. As examples, one contractor had 9 workers who were all white. Another had 24 total employees and, of those, 21 (87.50%) were white. Even the two most diverse contractors had an overwhelmingly white workforce.

*Stone Bridge Iron & Steel, Inc.*, had the lowest proportion of white workers, 69.23%, and also had the highest number of Indigenous employees – 3 – amongst contractors. *Stone Bridge* also had the only Hispanic worker. *Quality Structures, Inc.* was the most diverse contractor in terms of distinct races with workers identifying as white, black, multiracial, and Indigenous. But the workforce itself was not racially diverse with 76 out of 86 (88.37%) being white workers. Figure 2 shows the workforces by company and race.



**Fig. 2: Workers by company and race**



Looking at hours worked, and gross wages, was also revealing. As shown in Table 2 and Figure 3, workers completed a total of 35,575 hours on the project. Of those hours 7,587 were worked by employees without race disclosed. Of the remaining 27,988 hours, white employees worked 24,838 (88.74%) of the hours of workers when race was disclosed. In comparison, minority employees only worked 3,150 hours (11.26%) of the hours of employees with their race disclosed.

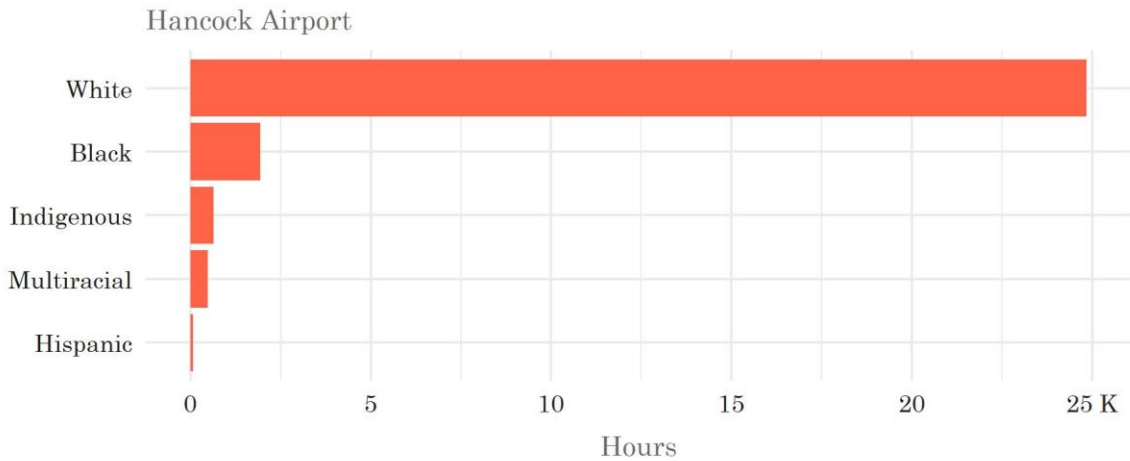
**Table 2: Workforce hours by race**

Hancock Airport

Race	Hours	Total Hours (%)
White	24,838	88.74
Black	1,941	6.94
Indigenous	639	2.28
Multiracial	490	1.75
Hispanic	80	0.29

Source: Records disclosing race  
 Syracuse Regional Airport Authority

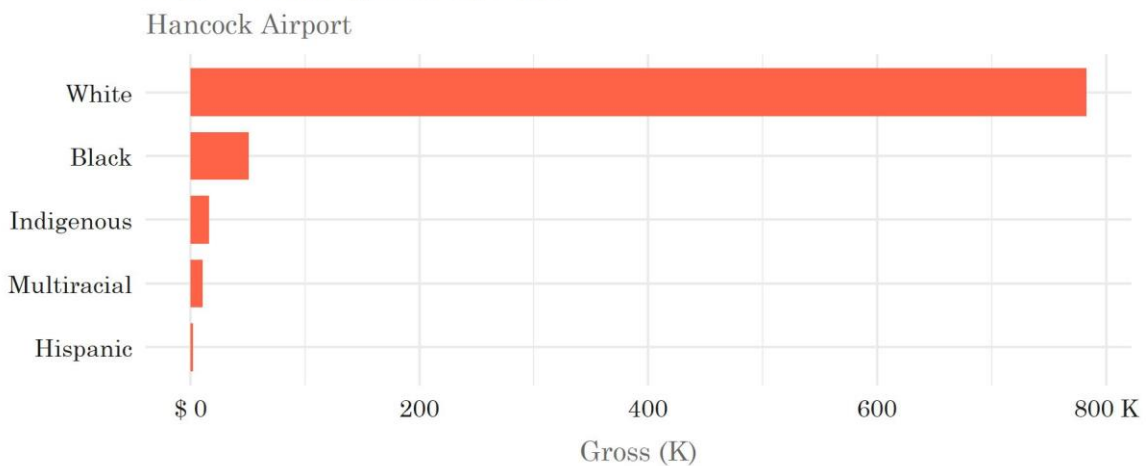
**Fig. 3: Total hours by race**



Source: Records disclosing race  
 Syracuse Regional Airport Authority

Similarly, white employees received the vast majority of gross wages on the project. The payroll records we reviewed revealed a total of \$1,130,968.00 in gross wages paid. Of those gross wages \$267,970.00 were paid to employees of undisclosed race. The remaining \$862,998.00 in wages were paid mostly to white employees who made \$782,621.91, or 90.69% of the wages earned by employees with their race disclosed. Black employees made the next largest share of wages with \$51,059.88, or only 5.92% of the total wages of workers who had their race disclosed. Figure 4 shows the total gross wages earned by race of those records disclosing race.

**Fig. 4: Total gross by race**



Source: Records disclosing race  
 Syracuse Regional Airport Authority

White employees composed most of the workforce and worked the most hours and made the most money. Even when the workforce was relatively diverse – defined as having more than two distinct races – the white workforce dominated. The demographics on Hancock, a project with Syracuse government oversight, do not reflect the Syracuse population.

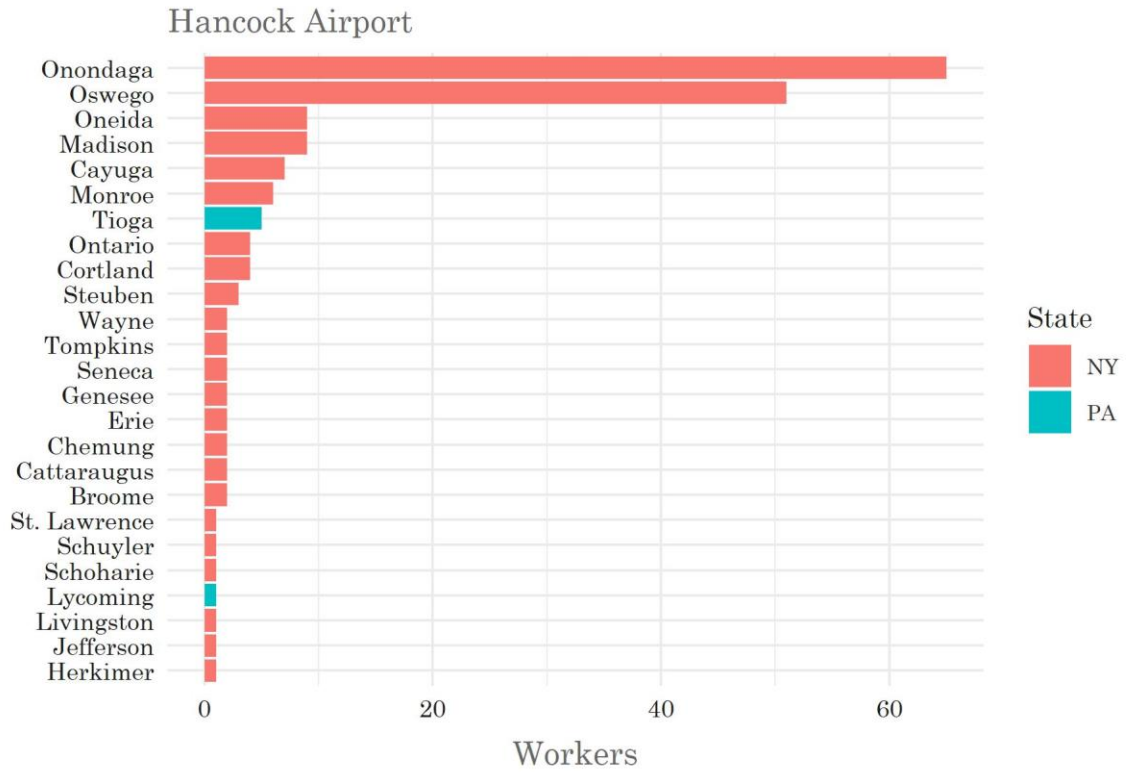
**c. Zip Code Location**

While racial disparity is the main theme of this report, the zip code location of workers is a critical factor. For Syracusans to fully benefit from the I-81 Viaduct Project much of the workforce must be local.

On Hancock, the majority of employees come from Central New York defined as Onondaga County and the four counties bordering it (Oswego, Madison, Cortland, and Cayuga). Of the 204 employees, 65 (31.86%) have addresses with zip codes in Onondaga County. Fifty-one (25%) come from Oswego County.

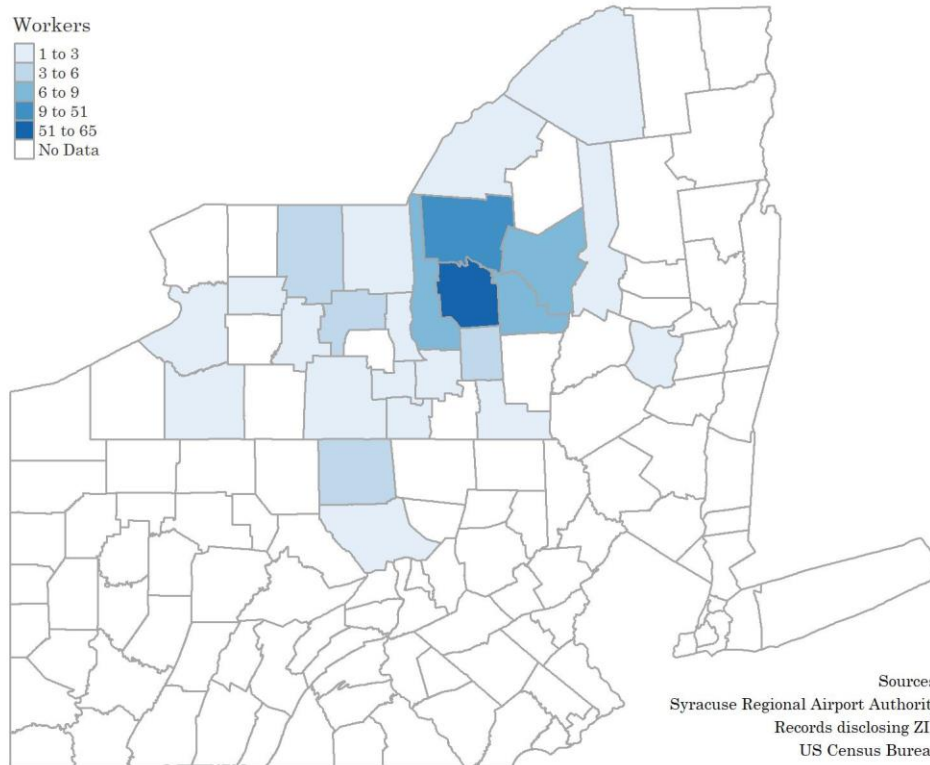
Even though many of the workers reported Central New York zip codes, a significant percentage live outside Central New York. A total of 41 workers (20.09%) had zip codes from 20 counties outside of Central New York. This included 6 workers (2.94%) from Pennsylvania. A total of 18 workers did not have their zip code disclosed. Table 3 in Appendix B shows worker location based on reported zip code. Figure 5 shows the counties these workers were from and Figure 6 shows workforce density by county.

**Fig. 5: Workers by county, state**



Source: Syracuse Regional Airport Authority: Records disclosing ZIP

**Fig. 6: Worker density by county**



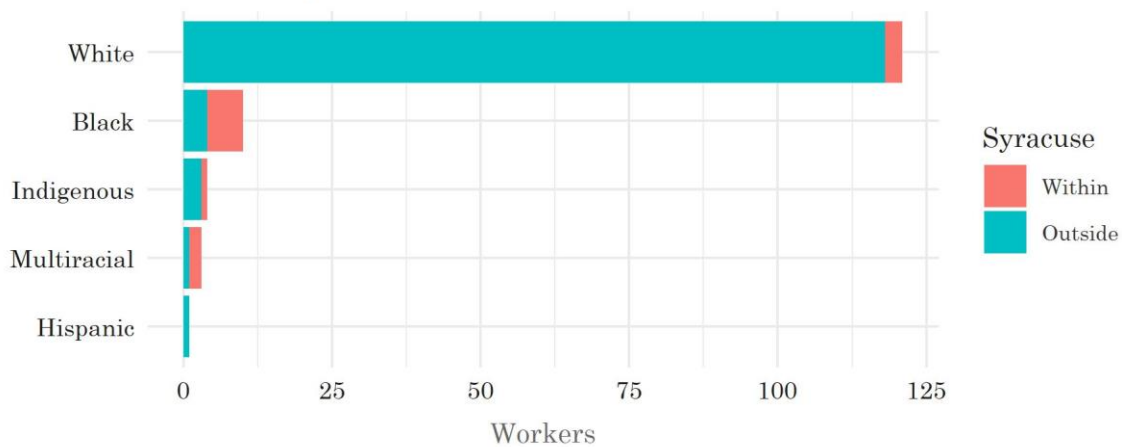
Significantly, a small percentage of workers reported residence zip codes within Syracuse<sup>156</sup>. Only 12 of the 139 workers with race and zip code disclosed had zip codes within Syracuse. Six black employees had city zip codes which is 60.00% of the total black employees on the project. This is in contrast to white employees where only 3 had zip codes within the city which is 2.47% of the total white employees on the project. Table 4 and Figure 7 illustrate the location of workers by race in relation to Syracuse.

**Table 4: Workers by race within and outside Syracuse**  
 Hancock Airport

City Limits	Race	Workers	Workforce (%)
Within	White	3	1.47
Within	Black	6	2.94
Within	Multiracial	2	0.98
Within	Indigenous	1	0.49
Outside	White	118	57.84
Outside	Black	4	1.96
Outside	Indigenous	3	1.47
Outside	Hispanic	1	0.49
Outside	Multiracial	1	0.49

Source: Records disclosing race  
 Syracuse Regional Airport Authority

**Fig. 7: Workers within Syracuse by race**  
 Hancock Airport



Source: Syracuse Regional Airport Authority; Records disclosing ZIP, race

## 2. Lakeview

### a. Demographics

From the records produced we identified 515 unique workers. Of these, 397 had their race disclosed. White workers predominated on the project with 354 (89.17%). This is in stark comparison to the 41 (10.83%) minority employees who could be identified. Table 5 below shows the breakdown of workers on the project by race for those records that disclosed race.

**Table 5: Workers by race**

Lakeview Amphitheater

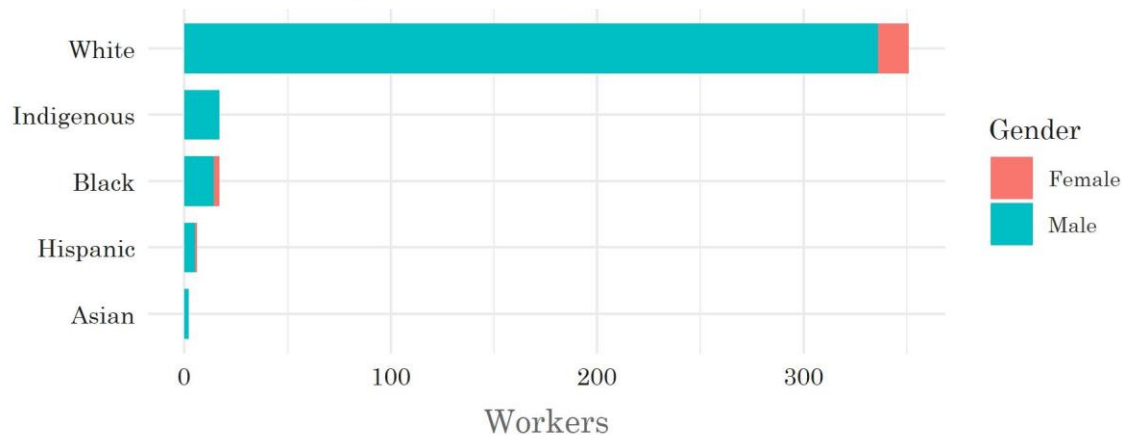
Race	Workers	Workforce (%)
White	354	89.17
Black	17	4.28
Indigenous	17	4.28
Hispanic	7	1.76
Asian	2	0.51

Source: Records disclosing race  
 Onondaga County

When taking gender into account, white men were the dominant employee group on the project. As seen in Figure 8, 336 white men (85.49), were identified out of the 397 employees who had race identified. Hence 61 of the 397 employees where race and gender could be identified were not white males.

**Fig. 8: Workforce race and gender**

Lakeview Amphitheater



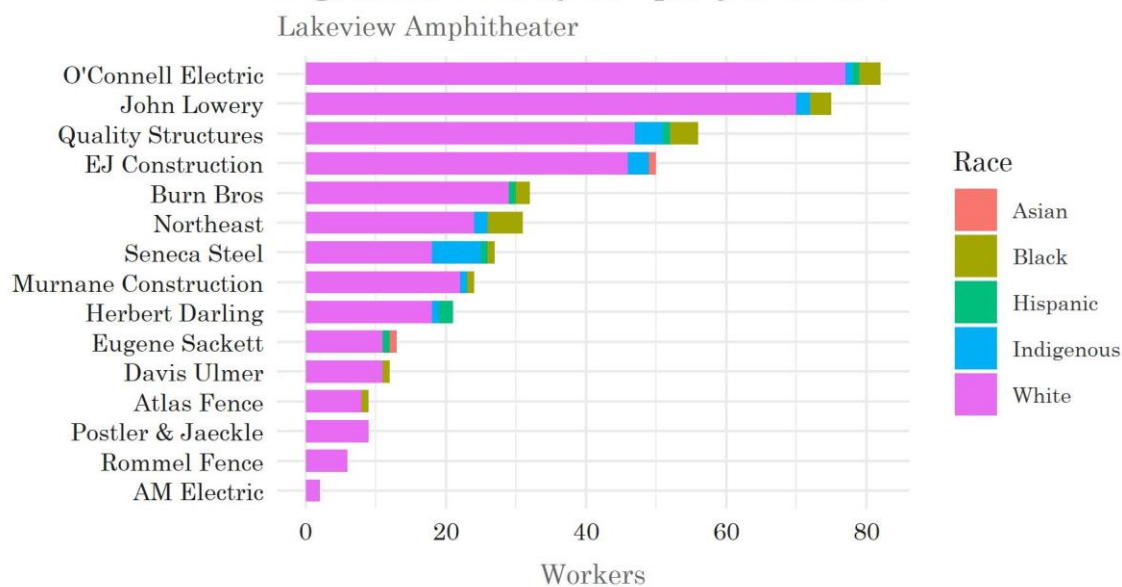
Source: Onondaga County

**b. Contractors**

We reviewed data from 28 of the 36 Lakeview contractors. Only 15 of the 28 identified race in their payroll records. While only 50% of contractors identified race, they accounted for 77.09%% of workers on the project.

Looking at racial diversity within the individual contractors produced interesting findings. The four contractors with the largest workforces were *John Lowery*, *O’Connell Electric*, *Quality Structures*, and *EJ Construction*. These contractors had significant diversity in terms of the races represented in their workforces. Each contractor had at least one employee in each of three distinct categories of race. But for each contractor, white employees were the vast majority of workers. *John Lowery* had 75 employees with 70 (93.33%) being white. Similarly, *O’Connell Electric’s* workforce had 82 employees with 77 (93.90%) white. Likewise, *EJ Construction’s* was 92.00% white and *Quality Structures* was 83.93% white. Figure 9 shows the racial composition of the 15 contractors who disclosed race in their payroll records.

**Fig. 9: Workers by company and race**



**c. Workhours and Wages**

While there were clear racial disparities in project demographics, workhour distribution illustrated the possible benefit of having EEO goals explicitly within the PLA. 127,421 hours were identified in the payroll records reviewed. 16,310 of these hours were worked by employees who did not identify either race or gender. White men worked 87,804 hours (79.02%) of the hours worked where race or gender could be identified. Minority and women employees worked 23,308 hours (20.98%) of such hours. This likely means that minority and women employees worked more than the 20% combined women and minority EEO project goal. Table 6 shows the hours worked by race and gender and percentage of total hours when race was disclosed.

**Table 6: Total hours by race and gender**  
 Lakeview Amphitheater

Gender	Race	Hours	Total Hours (%)
Male	White	87,804	79.02
Male	Indigenous	6,702	6.03
Female	White	6,522	5.86
Male	Black	6,094	5.48
Male	Hispanic	2,054	1.84
Female	Black	914	0.82
Female	Hispanic	476	0.43
Male	Asian	412	0.37
Undisclosed	White	100	0.09
Undisclosed	Hispanic	32	0.02

Source: Records disclosing race  
 Onondaga County

While women and minorities comparatively worked the highest percentage of hours on Lakeview than the other projects, there was still clear disparity in the wages disbursed. Based on the records reviewed, a sum of \$2,770,039 in wages were disbursed to white employees with \$2,596,003 going to white men. For comparison, black men only made \$123,018 in wages and Asian males only made \$12,056 in wages. Table 7 shows the total gross wages by race and gender.



**Table 7: Total gross wages by race and gender**  
 Lakeview Amphitheater

<b>Gender</b>	<b>Race</b>	<b>Wages</b>	<b>Total Wages (%)</b>
Male	White	\$ 2,596,003	80.86
Male	Indigenous	\$ 197,391	6.15
Female	White	\$ 174,036	5.42
Male	Black	\$ 123,018	3.83
Male	Hispanic	\$ 71,834	2.24
Female	Black	\$ 21,561	0.67
Female	Hispanic	\$ 14,651	0.46
Male	Asian	\$ 12,057	0.38

Source: Records disclosing race  
 Onondaga County

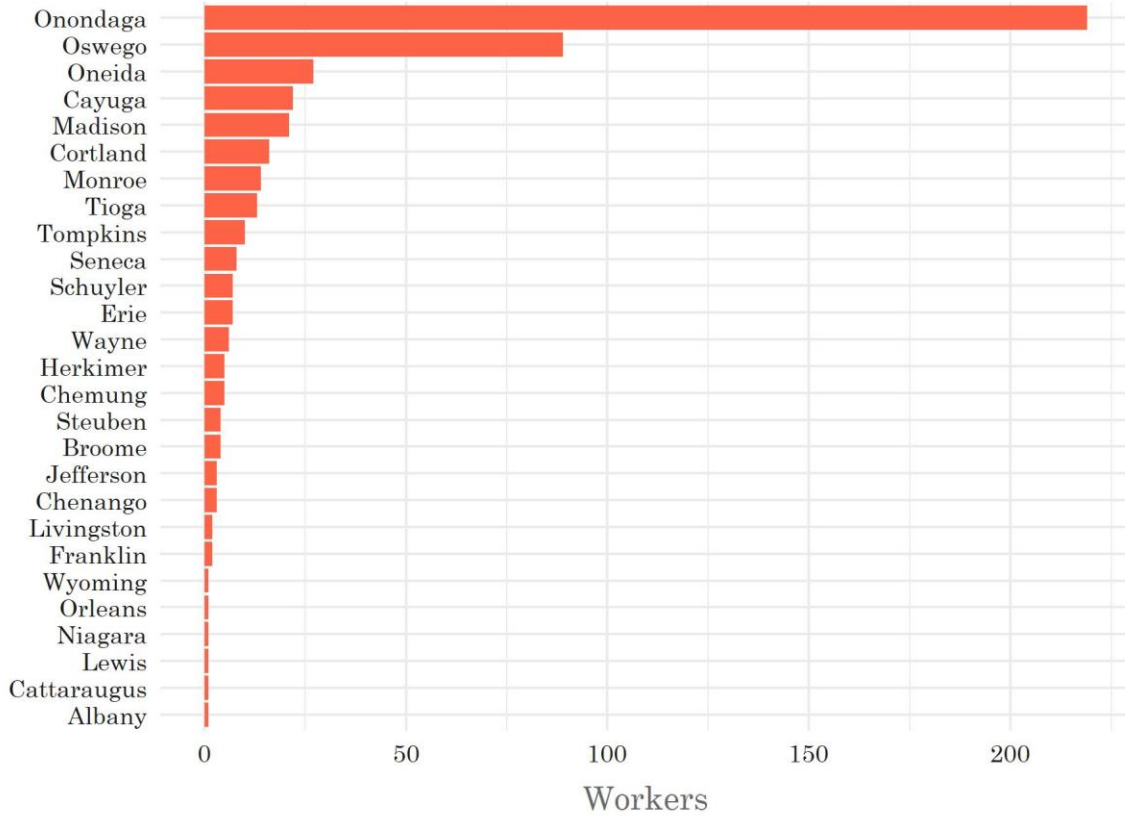
Despite the EEO workforce hour goals being met, racial disparity remained. While this disparity was not as pronounced when looking at workforce hours, the workforce demographics were very similar to the other projects we reviewed.

**d. Zip Code Location**

As with the Hancock project, the Lakeview records allowed us to determine the location of employees based on reported zip codes. We identified 493 unique workers with location data. 219 of these workers, 42.52% of the workforce, had zip codes within Onondaga County. Another 175 of the workers had zip codes within Oswego, Oneida, Madison, Cayuga, or Cortland Counties. These numbers indicate that 76.50% of the workforce on the project were located within Central New York. Table 8 in Appendix B contains detailed information about the location of workers, and Figures 10 & 11 show the location of workers by county.

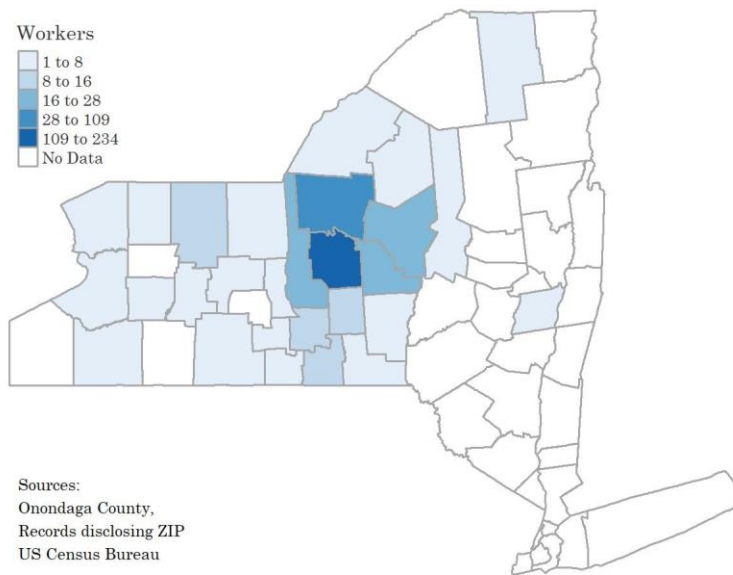
**Fig. 10: Workers by county**

Lakeview Amphitheater



Source: Onondaga County; Records disclosing ZIP

**Fig. 11: Workers by county**



As shown in Table 9, there were few workers, 33, who had race and zip code disclosed within Syracuse. This compared to 364 workers who had race and zip code disclosed outside of Syracuse.

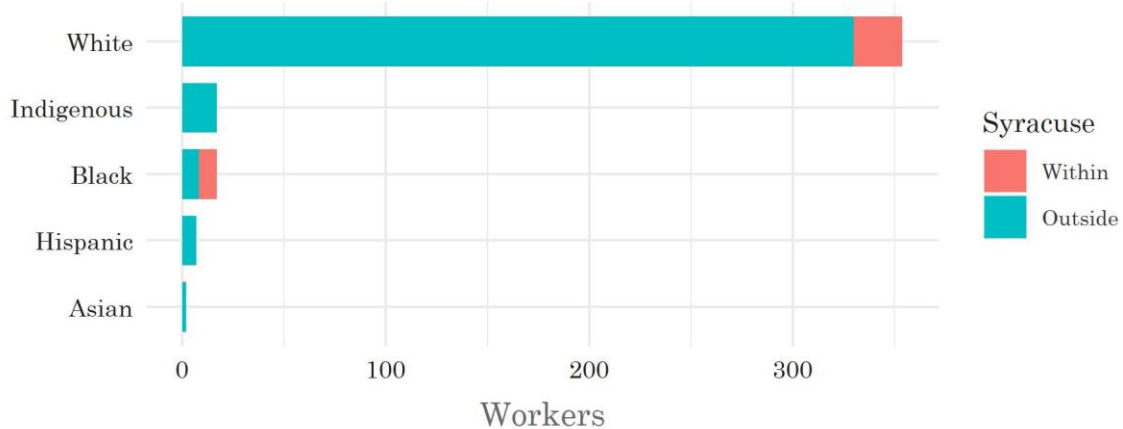
**Table 9: Location within and without Syracuse by race**  
 Lakeview Amphitheater

Syracuse	Race	Workers	Workforce (%)
Within	White	24	4.66
Within	Black	9	1.74
Outside	White	330	64.10
Outside	Black	8	1.55
Outside	Indigenous	17	3.30
Outside	Hispanic	7	1.36
Outside	Asian	2	0.04

Source: Records disclosing zip  
 Onondaga County

When looking at the zip code location of employees, the findings regarding race were telling. Of the 354 white employees, only 24 had zip codes within the city. This compares to black employees, of whom 9 of the 17 had zip codes within the city. Figure 12 shows the location of workers that had zip codes within Syracuse compared to those with zip codes outside Syracuse by race.

**Fig. 12: Workers in Syracuse by race**  
 Lakeview Amphetheater



Source: Onondaga County

### 3. Expo Center

**Note:** The NYS Office of General Services responded to our FOIL request with numerous employment utilization reports from 31 employers. As set forth in Appendix A, these reports contain data on a number of variables. Unfortunately, when we analyzed the data we found it impossible to determine the number of total unique workers on the project or for each employer. While the reports contain data on number of workers by race and gender, the manner in which these reports were produced made it impossible to determine the number of unique workers. As a result, we were unable to make any findings regarding the demographics of individual workers. However, we could determine the hours worked and wages earned by race for the overall project.

#### a. Hours Worked by Race

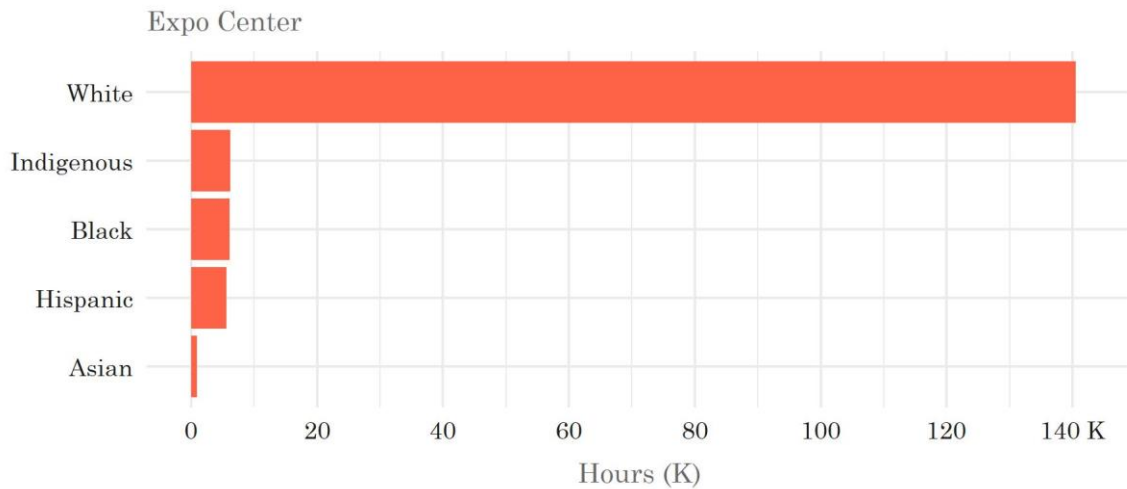
White workers accounted for the vast majority of hours worked. As seen in Table 10, white employees worked 140,487 hours (88.14%). Of the remaining 12.86% of project hours, no race worked more than 4%. Asian employees worked the fewest hours with 960 accounting for 0.6% of the total hours on the project. Figure 13 compares workforce hours by race.

**Table 10: Total hours by race**  
Expo Center

<b>Race</b>	<b>Hours</b>	<b>Total Hours (%)</b>
White	140,487	88.14
Indigenous	6,206	3.89
Black	6,125	3.84
Hispanic	5,622	3.53
Asian	960	0.60

Source: NYS OGS

**Fig. 13: Total hours worked by race**



Source: NYS OGS

With gender factored in, racial disparity in workforce hours becomes even more pronounced. Female employees were only identified in three of the five racial categories: white women, Hispanic women, and black women. Hispanic and black women employees worked very few hours and made up a fraction of a percent of the total hours worked. There were no Indigenous or Asian female employees on the project. Table 11 shows the workforce hours and percentage of the total workhours by race and gender for the records which disclosed race and gender, while Figure 14 illustrates the difference in total workforce hours by race and gender.

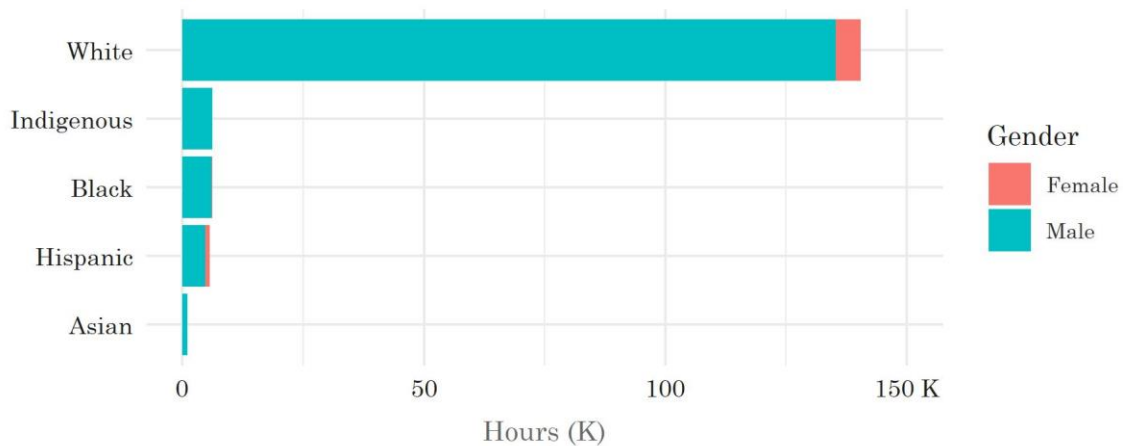
**Table 11: Total hours by race and gender**  
 Expo Center

Race	Gender	Hours	Total Hours (%)
White	Male	135,261	84.86
	Female	5,225	3.28
Indigenous	Male	6,206	3.89
	Female	0	0.00
Black	Male	6,048	3.79
	Female	77	0.05
Hispanic	Male	4,719	2.96
	Female	903	0.57
Asian	Male	960	0.60
	Female	0	0.00

Source: NYS OGS

**Fig. 14: Hours worked by gender, race**

Expo Center



Source: NYS OGS

Even though we are unable to identify the number of workers by race, the workhours by race indicate significant racial disparity on the Expo Center project. As expected, the racial disparity in workhours translates to significant differences in gross wages between white and minority workers.

**b. Workforce Gross Wages**

A total of \$4,858,244 were disbursed as gross wages on the Expo Center. As shown in Table 12, white employees received \$4,379,276 (90.14%) of these wages, while minority employees received \$478,968 (9.86%) of the total wages disbursed on the project. Figure 15 shows the difference of total gross wages by race.

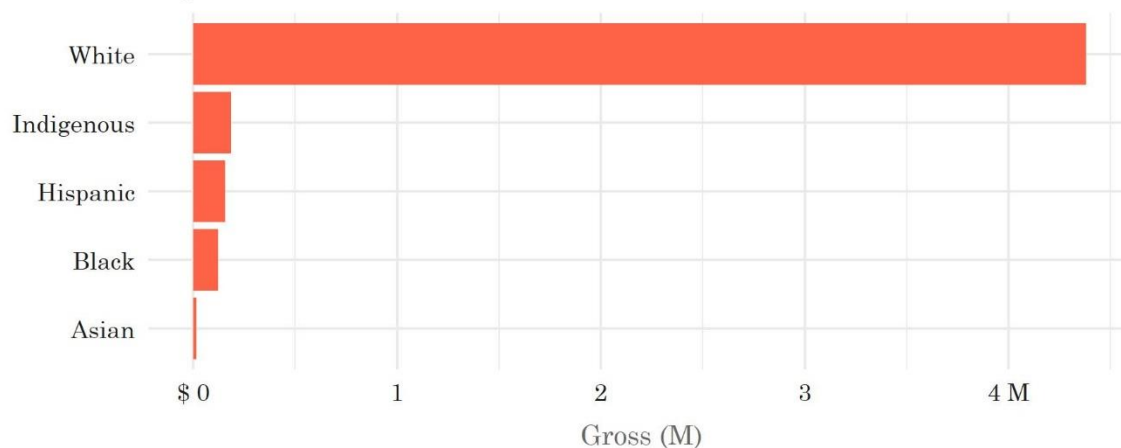
**Table 12: Total gross wages by race**  
 Expo Center

Race	Wages	Total Wages (%)
White	\$4,379,276.00	90.14
Indigenous	\$184,071.00	3.79
Hispanic	\$156,259.00	3.22
Black	\$122,966.00	2.53
Asian	\$15,672.00	0.32

Source: NYS OGS

**Fig. 15: Total gross by race**

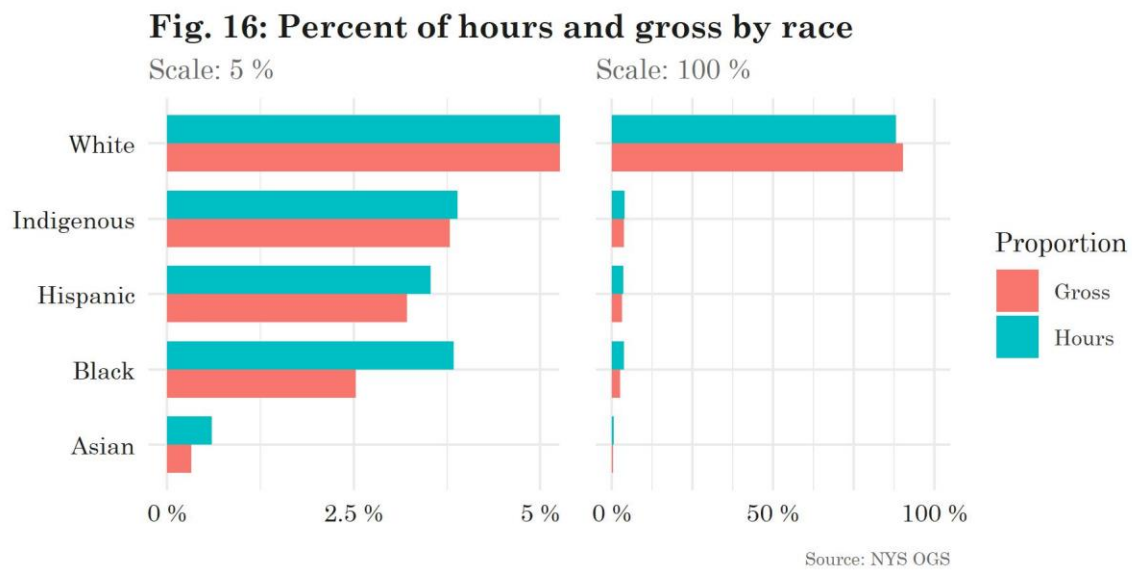
Expo Center



Source: NYS OGS

White employees received a higher percentage of the wages than the percentage of workforce hours they account for. For every other group the percentage of wages is less than the hours they work. White employees received 2% more of the workforce wages than the percentage of workforce hours they accounted

for, 90.14% of workforce wages compared to 88.14% of workforce hours. On the other hand, black employees' workforce wages were 1.31% less than their workforce hours, 3.84% workforce hours compared to 2.53% workforce wages. In fact all categories of minority employees worked a higher percentage of hours than the percentage of wages they received. Figure 16 shows the percent of hours compared to gross wages by race and illustrates that white employees worked a lower percentage of hours than the percentage of wages they earned while all other races worked a higher percentage of hours than the wages they earned.



Despite not being able to fully analyze the Expo Center workforce, our findings on workforce hours and wages highlight the disparity that existed on the project.



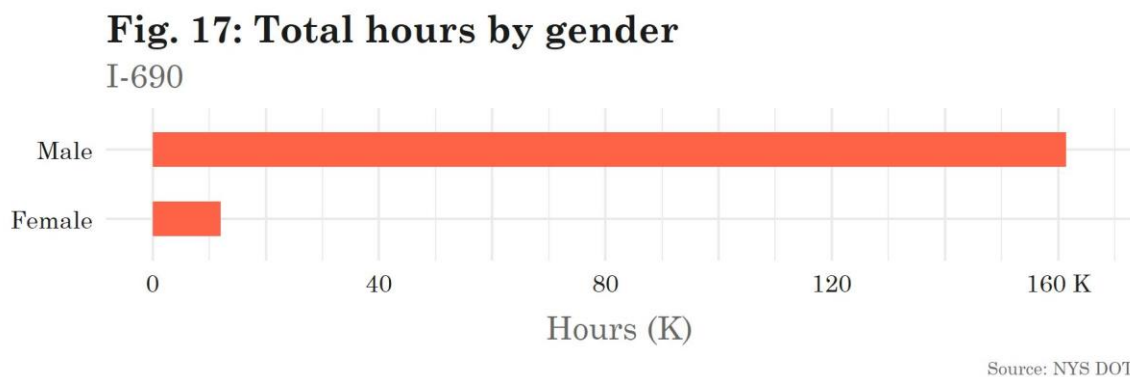
#### 4. I-690 Highway Project

We analyze the I-690 project in two sections. The first focuses on the trades; the second on the contractors.

##### a. The Trades/Jobs Data on the I-690 Project

##### i. Gender within the Trades

Based on the data provided, a total of 173,377 hours have been worked on the project. Male employees worked 161,366 (93.07%) hours compared to 12,011 (6.93%) hours worked by female employees. Interestingly, there were only 9 (2.25%) female employees on the I-690 project. In other words women worked about three times more hours, 6.93%, than their percentage of the workforce, 2.25%. It is possible women only received this higher proportion of workhours because of the 6.9% women EEO goal. Regardless, even with this EEO goal, very few women actually worked on the project. Figure 17 illustrates the total hours worked by gender.



When looking at the individual trades, gender disparity prevailed. Of the 17 trades identified, only 5 had female employees and only 2 trades had multiple female employees. One of these trades, clerical, had only one employee, a female, who worked 11 hours. Of the 9 total female employees, 4 worked within the semiskilled laborer trade.

**ii. Race within the Trades**

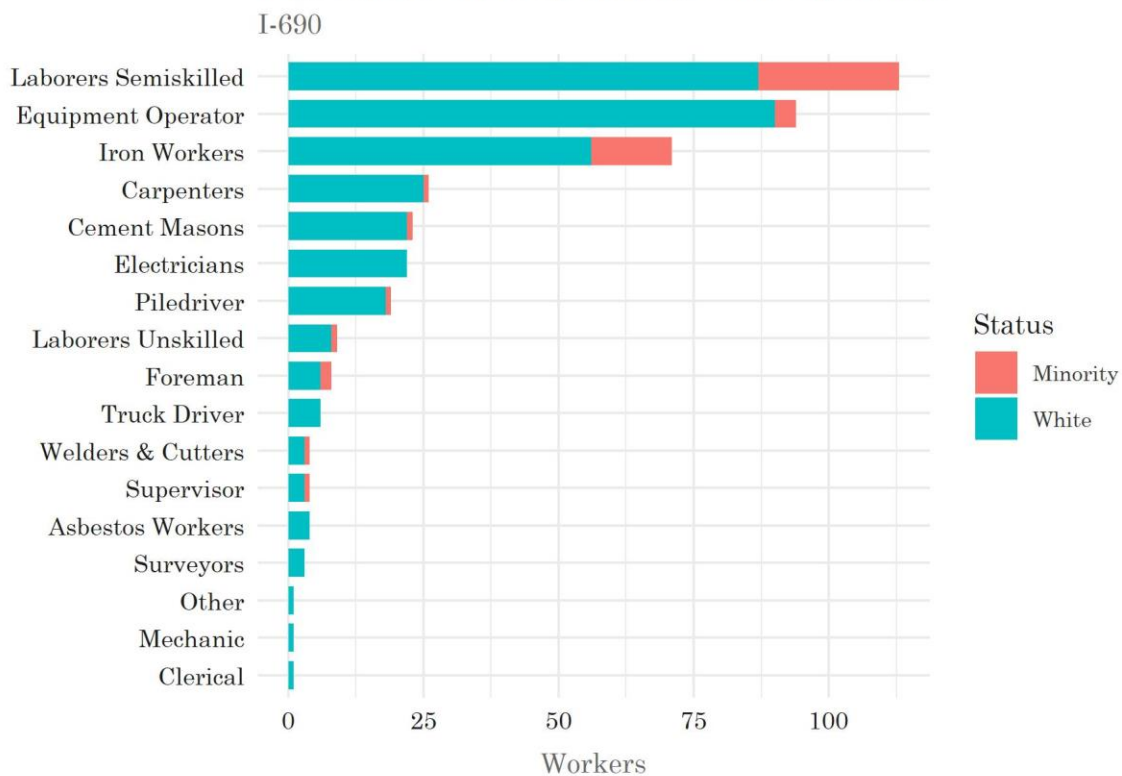
As with gender disparity, racial disparity was prevalent within the trades. Within the 409 person employee pool 53 minority employees were employed. Of the 53 employees, 51 were male and 2 were female. The 53 minority employees constituted 12.96% of the workforce, the other 87.04% being white.

There was a lack of minority workers in the workforce, and in the races represented. Eight categories of race were included in the employment utilization records. But employees were identified only in four of these categories. The categories were: “Black males, Hispanic males, American Indian/Native Alaskan males, and American Indian/Native Alaskan female.” There were no employees listed as: “Black female, Hispanic female, or Asian/Pacific Islander of either gender.”<sup>157</sup>

Minority workers were also not well represented across the trades. As seen in Figure 18, ten of the trades identified one or more minority employee on their workforce, but of those ten only four had more than one minority employee. Of these ten trades, 41 of the 53 minority workers (77.4%) worked either as iron-workers or semiskilled laborers. This is in sharp contrast to white, employees who were represented in every trade.

Even in those two trades with the most minority workforce, there was still racial disparity. Iron-workers had 71 total workers on the project with 15 being minority, or 21.13% of their workforce. Likewise, the semi-skilled laborers had 113 total workers, 26 of which were minority workers, or 23.01% of their workforce. Even in those trades with the highest numbers of minority workers, the workforce was still predominately white. Table 13 in Appendix B shows the trades workforce by minority status.

**Fig. 18: Workers by trade, minority status**



Workhours also highlight disparities between white and minority employees. Table 14 and Figure 19 show the total hours worked by race and gender for those records that disclosed race and gender.

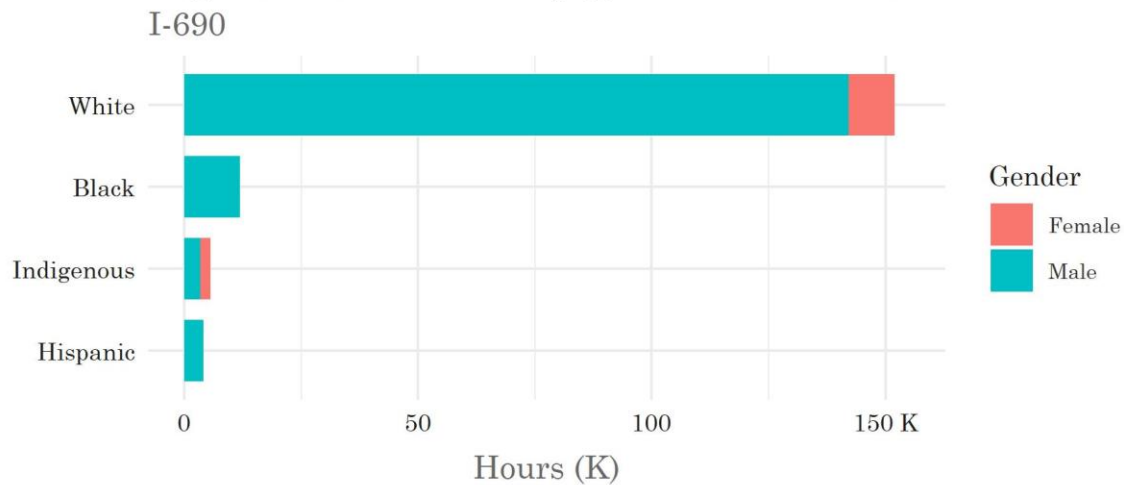
**Table 14: Total hours by gender and race**

I-690

Race & Gender	Hours	Total Hours (%)
White Males	142,128	81.97
White Females	9,901	5.71
Black Males	11,809	6.81
Hispanic Males	4,035	2.33
Indigenous Males	3,398	1.96
Indigenous Females	2,111	1.22

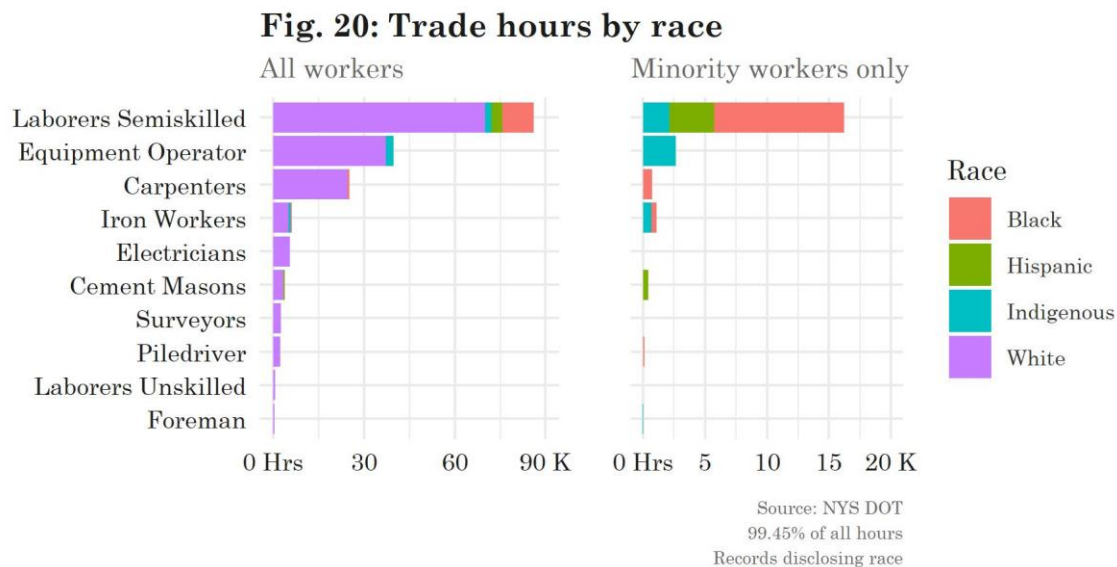
Source: NYS DOT

**Fig. 19: Total hours by gender and race**



Not only are minority workers underrepresented on I-690, the hours of work they received is also a fraction of their white counterparts. This also shows a failing of the EEO system. Since, the minority EEO goal on I-690 is only 3.8%, there is no incentive to increase the minority workforce participation beyond where it is.

Also, unlike for whites, work hours for minorities were not equally distributed among the trades. This makes sense given the few trades with more than one minority employee. Nevertheless, the numbers are shocking. For black employees on the project, 88.83% of their hours came from the semi-skilled laborers. Likewise, for Hispanic employees 89.17% of their hours came from the semi-skilled laborers. For Indigenous female employees, 98% of their hours came from the semi-skilled laborers. Indigenous male employees did a little better with only 75% of their hours coming from a single trade, the equipment operators. Figure 20 illustrates this point by showing the workforce hours by trade and race for all races and the workforce hours by trade for minority workers by race.



These findings show that the trades on the I-690 project are white male-dominated and lack racial diversity. Furthermore, the little diversity that does exist is found in only a few trades. The lack of racial diversity within the trades on the I-690 project demonstrates the need for proactive minority hiring on the upcoming I-81 project.

**b. The Contractors**

Similar to the findings on the trades, the I-690 contractor data demonstrates a lack of racial diversity. Data was provided for 20 I-690 contractors who worked on the project. This data was limited to gender, race, hours worked, and wages. There was no data as to what union these employees came from, where these employees came from, or whether each worker worked only for one contractor. Even though there was no union information attached to the identified employees, because of the I-690 PLA we presume that most, if not all, of the employees were from a union. As such, any findings on workforce disparities likely illustrate a lack of diversity in the unions.

**i. Workforce Demographics**

The records for the 20 contractors reflect a workforce of 400<sup>158</sup> workers. Of these workers 348 were white and 52 were minority. Nine women worked on the project, 7 white women and 2 Indigenous women. The contractor findings confirm that the I-690 workforce is predominately white and that there is a lack of minority workers. Table 15 shows the number and percentage of workers by race.

**Table 15: Employees by race**

I-690

<b>Race</b>	<b>Workers</b>	<b>Workforce (%)</b>
White	348	87
Black	21	5.25
Indigenous	21	5.25
Hispanic	10	2.5

Source: NYS DOT

Not only is the I-690 workforce as a whole predominately white, but the pattern holds for every individual contractor as well. Table 16 in Appendix B shows each contractors employees broken down by race. Only ten of the 20 contractors have any minority employees. Of those 10 contractors, 9 contractors have a workforce over 75% white. Thus 19 out of 20 I-690 contractors have workforces between 75% and 100% white. The other contractor, *BVR Construction*, has a workforce that is still majority white at 63.6%.

Even when the number of minority employees for a contractor was relatively high there was little diversity. The two contractors with the most minority employees were *Crane-Hogan Structural Systems* and *Longhouse Construction Group*. *Crane-Hogan Structural Systems* had the most minority employees, 21, on the I-690 project, but their workforce is still 84.1% white. Similarly, *Longhouse Construction Group* had the second highest number of minority employees, 9, but their workforce was still 83.6% white.

## ii. Workforce Wages

Hours and wages, like workforce, strongly favored white workers. I-690 disbursed \$6,193,196.37 in wages. Not surprisingly, white employees received the lion's share of wages \$5,490,921.99 (88.66%). That amount is in stark contrast to the \$702,275.38 that minority employees received. While white employees outnumbered minority employees 6.7 to 1, the total wages disbursed to white employees were 7.8 times as high as for minority employees. Table 17 show the total wages earned by race.

**Table 17: Total gross wages by race**

I-690

Race	Wages	Total Wages (%)
White	\$5,490,920.99	88.66
Black	\$363,136.55	5.86
Indigenous	\$210,700.35	3.40
Hispanic	\$128,438.48	2.08

Source: NYS DOT

## iii. Workforce Apprenticeship Participation

As with our findings about zip code location on the Hancock and Lakeview projects, our findings about apprenticeship participation on the I-690 project demonstrate workforce disparity.

There were a combined 401 journeypersons and apprentices on the I-690 project – eight other workers were either trainers or foremen. These 401 employees were predominately journeypersons (366). Only 35 were apprentices. Like almost all aspects of the workforce data, white men were the majority of each union classification. There were 316 white male journeymen, 86.3%, and 26 white male apprentices, 74%. Minorities only made up 14.5% of journeypersons and 20% of apprentices. Table 18 shows the number of journeypersons and apprentices by minority status and gender.

**Table 18: Classification, minority status and gender**

I-690

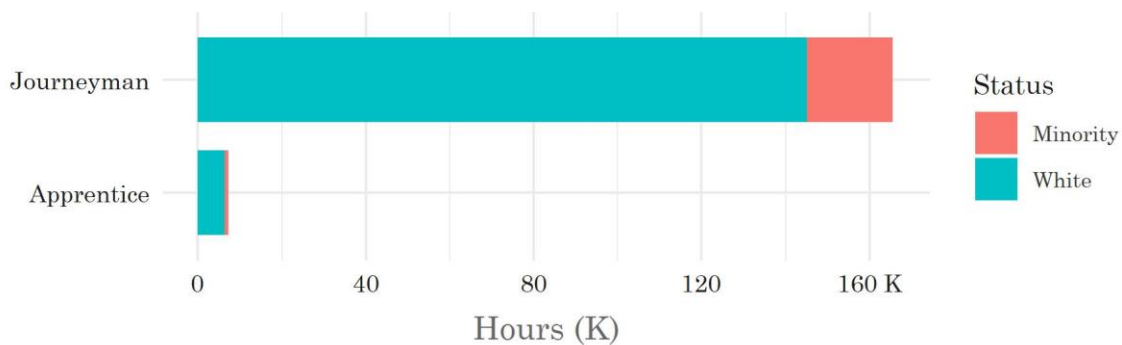
Classification	Gender/Minority	Workers	Workforce (%)
Apprentice	White Male	26	74.3
	White Female	2	5.7
	Minority Male	7	20
	Minority Female	0	0
Journeyman	White Male	316	86.3
	White Female	4	1.1
	Minority Male	44	12.0
	Minority Female	2	0.6

Source: NYS DOT

As with the total number of apprentices and journeymen, workhours also display disparity. Journeymen worked 165,546 total hours with minority journeymen worked 20,448 (12.35%) hours. Apprentices worked a total of 7,337 hours. Of these minority employees worked only 1,040 (14.17%) of the total apprentice workhours. Based on this data, apprentices worked 4.24% of the total hours on I-690, and minority apprentices only worked 0.60%. These numbers illustrate a significant lack of apprentices on the project, among other things. Figure 21 compares journeyman and apprentice hours between white and minority workers.

**Fig. 21: Hours by minority status, class**

I-690



Source: NYS DOT



Along with the racial disparity in the classifications, another significant finding is how few apprentices there were on the project. Only 8.7% of the total employees were apprentices. The two trades with the most employees were indicative of the problem of few apprentices. Semi-skilled Laborers had 111 journeypersons compared to only 1 apprentice. Likewise, Equipment Operators had 92 journeypersons compared to only 2 apprentices. The lack of apprentices greatly reduces any training opportunities. If journeypersons fill a project at the expense of apprentices, then local workers enrolled in apprenticeships are not working on that project. This is a red flag for the I-81 Viaduct Project.

The I-690 workforce data illustrates the need for more robust minority hiring procedures on future projects including I-81.

## **5. JSCB Phase II**

Data received from the JSCB was in the form of a report from the Independent Compliance entity Landon and Rian<sup>159</sup>. This report reviewed compliance with the goals of the Diversification Plan and the PLA.

The report states that for professional services and construction diversity participation through November 2018 most goals have been met. As you will recall the workforce goals are: 10% minority, 10% women, 20% Syracuse residency, and 2% SCSD graduate. Below are the total percentages based on work hours completed:

Minority:	19.17%	Women:	18.60%
Residency:	19.79%	SCSD Student:	10.17%

While this information is promising in showing that the goals on the project are being met or close to being met, more analysis is needed. Non-aggregated employment information should be reviewed to see how the workforce goals are translated into actual numbers of employees on the worksite. Further, unique

employment records would show how many hours were worked on site and whether minority employees worked for extended lengths of time. Hopefully further analysis can be done on the data underlying the numbers in the Landon and Rian report.

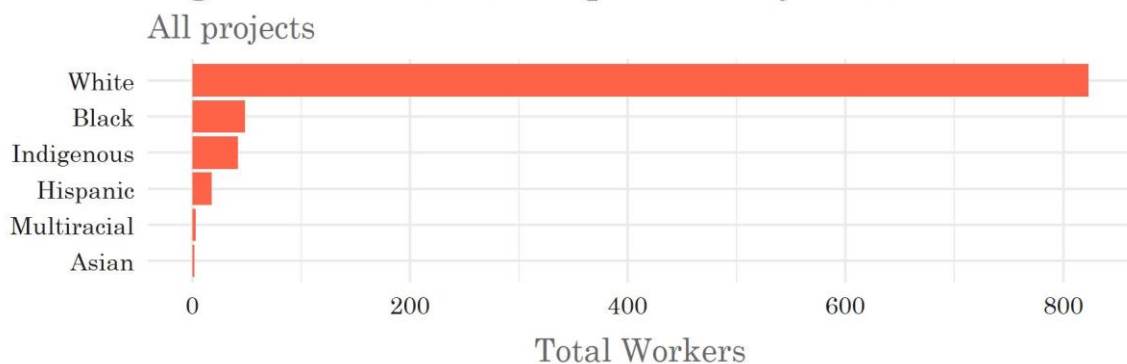
## E. Conclusion

Based on our findings from the records for these five projects we now present our conclusions. We hope these conclusions will help guide decisions around I-81 and local workforce development to ensure the I-81 workforce is more racially diverse.

### 1. Construction workforces on public projects are overwhelmingly white

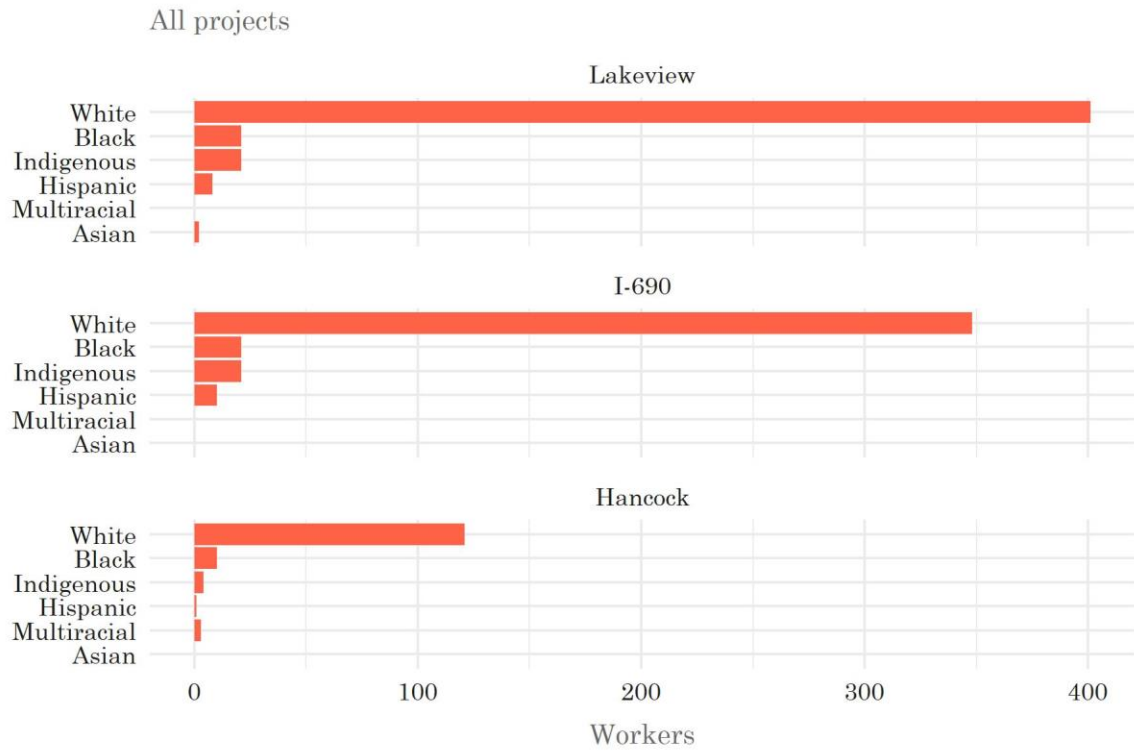
The data from each project illustrates that white employees, especially white male employees, dominate workforces. Not only does the data from each project support this conclusion, the combined workforce data also shows this fact. In the three projects where race of unique workers could be identified – Hancock, Lakeview, I-690 – there were a total of 936 workers. And 823 were white. Figure 22 shows the combined workforce composition of Hancock, Lakeview, and I-690 by race, and Figure 23 is a comparison of the workforce compositions between these three projects.

**Fig. 22: Workforce composition by race**



Sources: Records disclosing race  
Syracuse Airport Authority, Onondaga County, NYS DOT

**Fig. 23: Workforce composition by race**



Sources: Records disclosing race  
 Syracuse Airport Authority, Onondaga County, NYS DOT

When compared to the Syracuse population (which is 49.5% minority) the lack of minority workforce participation is dramatically evident. Figure 24 shows the proportions of workers by race and gender across Hancock, Lakeview, and I-690.

**Fig. 24: Worker proportions by race, gender**

I-690, Lakeview, Hancock



Sources: Records disclosing race, gender  
 Syracuse Airport Authority, Onondaga County, NYS DOT

## **2. Racial disparity is not confined to a single project**

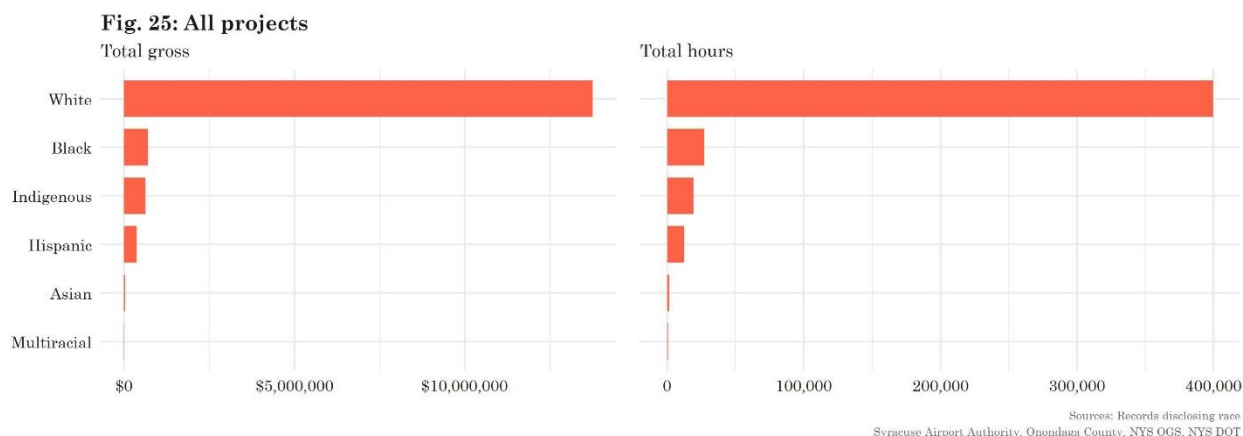
Every project we reviewed data – with the exception of the JSCB Phase II project – has similar racial disparity. The Hancock, I-690, and Lakeview projects each had workforce percentages of white male employees between 87.00% and 89.17% of the workforce.

Similar trends were also found for workhours and wages. In terms of total workhours, white employees worked 88.14% on the Expo Center, 88.74% on Hancock, 87.68% on the I-690, and 84.89% on Lakeview. Wages were skewed even more in favor of white workers who earned the following percentages of wages: Expo Center 90.14%; Hancock 90.69%; I-690 88.66%; Lakeview 86.27%.

With the data evidencing a similar racial disparity on four different and unique projects, we conclude unless robust, concerted, intentional action is taken, racial disparity of a very similar kind will occur on I-81 construction sites.

## **3. White workers in the construction trades reap the benefits of historical advantages**

As shown in Figure 25, white workers receive the most hours and the most wages. On all of the projects white employees, especially white male employees, receive a higher percentage of wages than their proportion of the hours on the project. This likely means that white workers also hold higher skilled positions thereby earning more on a per hour basis. Not only are white workers the most employees on these projects, but economic power in the construction trades remains in the hands of those who have historically controlled entrance into the trades. Creating more equitable economic outcomes for minority employees should be a focus of future construction projects.



#### **4. Minority workers are underrepresented in project workforces at large and within individual contractors**

Minority employees represent a small percentage of the total workforce on each project. This was also true when looking at the workforces of individual contractors. Most contractors had a workforce (who were mostly from union hiring halls per the PLAs) that were over 85% white, and a number of the contractors had no minority employees.

#### **5. Project Labor Agreement hiring provisions are necessary to create access to opportunities, but are apparently insufficient by themselves to create workforce equity**

Through a review of the PLAs on each project, we identified the provisions that were meant to create more racial diversity on the worksites. Each PLA had some provision, primarily contained in side letters, to allow for hiring exemptions for DBEs or MWBEs and permit those entities to hire their own employees. While it is impossible to precisely predict what the workforces would look like without these exemptions, the data illustrates that the different provisions in the PLAs have yet to change workforce demographics significantly.

This conclusion is supported by our Hancock, I-690, and Expo Center findings. They demonstrate similar racial disparities across demographics, hours worked, and wages, and use PLAs that were nearly identical. The side letters on I-

690 and the Expo Center have identical hiring exemptions to promote diversity, and Hancock's allows for a more restrictive hiring scheme.

Also, with the notable exception for hours and wages below, the Lakeview PLA hiring exemptions did not create a more diverse workforce. The Lakeview PLA created two distinct hiring schemes to allow small businesses and MWBEs to hire their own employees. Despite these two hiring schemes – schemes that were unique among the PLAs we reviewed – the Lakeview project had the lowest percentage of minority workers at 10.83% when compared with Hancock and I-690. Therefore, we conclude that these PLA hiring exemptions do not go far enough in creating a racially diverse workforce.

However, the Lakeview PLA and JSCB PLA do show promise in how PLA provisions and side letters can affect racial equity on construction sites. While the Lakeview project percentage of minority and women workers was low, the percentage of hours worked (20.98%) and wages for minority and women workers (17.16%) was the highest among four of the projects. This fact may be due to the PLA explicitly containing the combined minority and women EEO workforce goal of 20% - a goal that appears to have been met. Likewise, the JSCB PLA contained language reinforcing its goals - goals which appear to close to being met. Notably the JSCB findings show the highest percentage of women and minority workhours across all projects.

While the PLA hiring provisions we studied do not seem to create racial equity in the workforce composition, workhours, and wages, the enhanced language and reinforcement of EEO goals does seem to positively influence hours worked and wages earned for minority employees.

Future PLAs, especially on the I-81 Viaduct Project, should be tailored with goals and enforcement mechanisms that ensure local construction worksites are representative of the Syracuse area.

## Section V

### The Interviews

In Section IV of the report we found that construction worksites in the Syracuse area have significant racial disparities, especially when compared to the population of Syracuse. This data alerts us to what we can expect to see on the I-81 project (“I-81”) if changes to hiring and employment policies are not made.

Beyond the data, we also wanted to hear from community leaders regarding the composition of the construction trades and for ideas on working together to create greater equity. Toward this end, we conducted 20 interviews with 30 individuals who are leaders of institutions or at their construction work site and live or work in Syracuse. Interviews included local government officials, grassroots community leaders, workforce developers, financial institution leaders, construction developers, academics, union representatives, and union and non-union construction workers. Through these interviews we obtained insights into the racial disparities within the construction trades, further contextualizing our project data. The interviews further fulfilled our objectives through the numerous suggestions we heard for how stakeholders in the construction industry could work together to obtain a more equitable share of jobs for local workers, especially in time for I-81.

As the interview process proceeded, four themes emerged:

- intentionality
- direct and indirect pressures
- education and training
- overcoming barriers to win a construction bid

In the remainder of this section, we will summarize the interviews in the context of those themes.



## **A. Intentionality**

The concept of intentionality came up in many of our interviews. Even though each person spoke about it differently, they generally agreed that purposeful steps – whether mandated or not – should be taken to address discrimination and racism.

### **1. Discrimination within the Trades**

Both union and non-union workers spoke of overt and implicit racism encountered on the job. These experiences convince them of the need to intentionally address racial bias, disparity, and discrimination on worksites.

One union worker, a minority woman, spoke about the discrimination and harassment she faced. These incidents included accusations of taking a “man’s job,” co-workers cracking lewd jokes, being called racial epithets, and physical assault. She reported this activity, but nothing ever happened to the perpetrators.

A minority, non-union construction worker said his perception of union worksites is that they are predominately white. This perception appeared to leave the worker with a feeling of alienation. This work site leader described similar issues on non-union construction worksites. He related a story of implicit bias to when co-workers refused to believe he knew the job because he is a minority. He was also concerned with the lack of Syracuse residents on union worksites. He believes unions need to be proactively recruiting minorities and city residents.

Another union member, also a minority, echoed the need for more intentional hiring initiatives by the unions. This interviewee, who is a newer union member, has not experienced harassment, but, instead, has received support from elder co-workers. This worker wants unions to intentionally recruit minorities and said unions should have a presence in the community: (1) to explain the benefits of union

membership, and (2) to make it easier for city residents to apply for their apprenticeships.

Another minority union worker echoed this sentiment of co-worker support. This worker, despite a past criminal conviction, felt accepted because he had demonstrated the skills and drive to do the job. Both of these union workers observed that there were very few minorities in their unions.

## **2. Intentionality as a Path to Equity**

There was common acceptance amongst our interviewees that minority residents are underrepresented in the trades. While many of our interviewees had not experienced this underrepresentation firsthand, they did not deny its existence. Ideas varied on how to fix this issue as I-81 approaches.

Intentionality can complement direct pressures, such as EEO workforce goals (discussed at length in this report). Indeed, one leader spoke about a need for goals *and* good intentions; projects, both public and private, need to work with companies that hire city residents and minorities not only because of a goal, but because the person is a skilled, reliable worker. Municipalities or developers should then reward such intentional hiring by taking it into account at bidding time.

Another interviewee echoed this sentiment. He discussed intentionality as possibly being more important than regulations to get city minority residents working. And another interviewee felt it complemented the underlying EEO goals. It was noted that when a competing contractor gets positive publicity for hiring minority city residents, its competitors are more likely to engage in the same practices. Plus, if both public and private projects diversify their workforces, this may well reduce racial disparity and discrimination on construction sites.

Leaders also pointed us to initiatives that used or are using this intentional approach to create greater diversity. One was the building of the Southside PriceRite. In 2016 the general contractor VIP Structures voluntarily set a construction workforce goal of 20% minority workers from the city. VIP's 2017 final report shows that the 29.5% of the workers were minorities and 29.5% were city residents. Another example is the local carpenters union now opening up its membership to minorities and city residents by lowering barriers to entry.

And a model that has helped diversify non-construction workforces is WorkTrain, now a project of Centerstate CEO. WorkTrain partners with employers to meet their personnel needs by recruiting city residents for training. The employers promise to hire all the recruited persons who successfully finish the training. WorkTrain hopes to use this model to generate construction careers for city residents. For example, it is working with Syracuse University regarding university construction projects, a partnership called OrangeTrain. Through OrangeTrain and a collaboration with the Upstate Minority Economic Alliance, S.U. hopes to provide more construction job opportunities to local city residents as well as more contracting opportunities for minority firms.

Lastly, Onondaga County intentionally contracted with a Syracuse community-based organization, Onondaga Earth Corps, providing green infrastructure jobs like tree-planting and rain-garden maintenance for the city's young adults, many of them minorities.

## **B. Direct & Indirect Pressures**

Intentionality primarily focuses on the entities – unions, contractors, companies, etc. – engaging in diversification practices on their own. While this is essential to creating a more diverse construction workforce, it is not the only way. Direct and indirect pressures are other ways.

Direct pressures are pressures that work toward a certain outcome; primarily these are policies to encourage local and/or diverse hiring and contracting. Indirect pressures are ones that can be exerted without policies and can influence hiring and contracting decisions. Both are useful.

### **1. Direct Pressures**

Throughout this report we have talked about the pressures municipalities use to diversify the construction workforce. These include EEO workforce goals, MWBE and DBE contracting goals, and PLA side letters. During the interviews, leaders discussed ideas around such policies and practices.

As indicated earlier in this report, public policy creates DBE and EEO goals. Section IV's project data suggests that the current goals are easily attainable. One leader advocated for goals, but stressed the need for data surrounding the goals to ensure that goals can be met. This individual emphasized that the goals need to be balanced so they are attainable and not so high that they keep businesses away from the project or industry.

Another interviewee also spoke about the need for the goals to fit the reality of the construction industry in Syracuse. This interviewee believes that MBE goals may not lead to local hiring because many MBEs are not local to Syracuse. He believes this fact is due to barriers for local companies becoming MWBEs. This interviewee also spoke about the importance of EEO goals because they directly impact the workforce.

Another interesting perspective on direct pressures came from the construction workers we interviewed. Two minority union workers acknowledged that EEO goals may help them get jobs. Yet, both questioned why there were so few minorities in their unions if these goals were effective. Or why they would sometimes be replaced by white workers when goals were not being met.

## **2. Indirect Pressure**

For direct pressures to be effective buy-in is needed and indirect pressure helps attain this buy-in. One interviewee stated that some contractors are open to goals while others are not. Absent buy-in, direct goals may not diversify the trades because these goals often do not have consequences.

Interviewees suggested various indirect pressures like:

- convincing companies that intentional hiring creates community goodwill and that it is “good for business.”
- demanding that elected officials reward intentional hiring with contracts.
- urging the trades unions to see the value in diversifying its membership, especially since its membership is aging and retiring. A number of leaders discussed the aging of the unions.
- advocating for local workers on “I-81,” pointing out to its contractors that importing non-local workers is expensive because they will have to pay to lodge them.

An important take-away from our interviews: indirect pressures need a coordinated effort on behalf of stakeholders across many different levels of power and influence.

## **C. Education and Training**

A more educated and better trained minority workforce will be essential to reducing workforce disparity. In almost every interview we discussed academic education or trades training.

According to one interviewee, a major factor increasing the rate of poverty in the City of Syracuse and limiting the number of minority city residents in the construction trades is our inadequate local educational system. This interviewee pointed to Syracuse's low high school graduation rate and how students here don't learn the skills, such as mathematics, needed to enter the construction trades. This interviewee stated that "opportunity creates success." In other words, if educators, employers, and unions increased access to training programs and job opportunities, students would be more successful. More concretely, the Syracuse City School District has seen an improvement in students' performance and success by implementing early childhood programs and career technical education.

Institutional racism is embedded in the educational system, and two interviewees discussed how the district lines heighten racial disparity. Both noted that the Syracuse City School District lacks resources and funding due to the fact that the suburbs have greater wealth compared to the city (e.g., a higher tax base), while Syracuse is made up of a majority low-income population. A way forward would be to create a county-wide school district while attracting suburban students to city magnet schools.

One aspect of education is training programs specifically for the construction trades. Leaders discussed some of the inadequacies of training programs and the barriers minorities and city residents face in accessing and graduating from them. They mentioned that some existing training programs are unable to meet the needs of trainees and some are ineffective due to content and methods. They also suggested ways for overcoming these obstacles with examples of training programs in Syracuse that have increased the number of minority students.

Preparing students to pass the math test required by union apprenticeships is a priority of two Syracuse-based programs. These offer tutors and remedial math courses. Another leader spoke of allowing applicants to use calculators while taking

the math test. An additional barrier to union apprenticeships is drug testing. Since drug use, especially marijuana, can disqualify an applicant from becoming an apprentice, substance users are encouraged to fulfill all the other requirements before taking their drug test. This ensures that applicants will not be disqualified before they even have a chance to be considered.

Several leaders wanted trades training to be like union apprenticeships. Some stressed that we must train people for the types of jobs that are needed currently or in the foreseeable future. Two interviewees stated that workers are only getting trained in the building trades. If city residents want to work on I-81 they will have to be trained in skills that are tailored for that highway project. Training programs must offer in-depth course work and critical information on how the construction industry functions. Training programs should offer transportation to and from the training facility for those lacking reliable and affordable transportation. Interviewees recommended paying trainees or providing low-cost loans to them. This ensures that trainees can support themselves while taking the courses. In addition, more training programs should focus on work that provides a prevailing wage and year-round employment. Lastly, trainees need to know and be guaranteed a job after they finish the training program.

## **D. Overcoming Barriers to Win a Construction Bid**

In Section II we discussed barriers that some people face when attempting to enter the construction trades. Besides these barriers, interviewees discussed those facing minority-owned enterprises (MBE). A leader noted that many minority businesses are owner-operated; the owner must attend to the day to day paperwork and also do the work of the business. This creates a time crunch making it difficult for the minority firm to apply for DBE or MBE certification. The DBE or MBE application process is time intensive because the firm must compile financial documents that are, in many circumstances, non-existent. Supports are needed to help these minority business owners keep financials and other documentation that will make applying for DBE or MBE certification a less daunting task. It was hoped this would lead to more DBE and MBE entities in the Syracuse area bidding on construction jobs.

Another interviewee also acknowledged the barriers faced by local minority owned businesses. Due to these barriers, MBEs winning contracts often are not from Syracuse and therefore their employees are not local residents.

One leader discussed how these small businesses do not have the time or resources to engage in risk assessment and insurance purchasing. Both are key aspects of the construction business but they are often too costly for a small owner-operated businesses. This means that larger contractors may not subcontract to them fearing increased liability. A separate interviewee suggested that a number of MBEs could form a cooperative to share resources and risk.

Finally, a barrier discussed in some interviews was lack of access to trained workers. There is no centralized list of city workers with their addresses, phone



numbers, certifications and trade skills. Such a list must be created and maintained to help contractors find reliable and available city workers. Who and how this list is maintained should be decided by a collaborative of stakeholders.

## **E. Conclusion**

The interviews were vital for this report. They highlighted common themes and offered constructive recommendations for increasing racial diversity in the construction trades. These interviews show the value of, among other things:

- listening to people with different experiences and perspectives
- a historical perspective from memory that is taken into account
- collecting their suggestions for positive change

And while such discussions are vital to achieving racial equity, any effective positive action must be collaborative and collective.

## Conclusion: A Call to Action

“Racial equity is about applying justice and a little bit of common sense to a system that’s been out of balance. When a system is out of balance, people of color feel the impacts most acutely, but, to be clear, an imbalanced system makes all of us pay.”

**Glenn Harris**  
**President, Center for Social Inclusion**

This report presents strong evidence that racial inequity is deeply rooted within the construction trades of central New York, and racial disparity exists on construction projects. Until these disparities are addressed, Syracuse’s minority residents will not have access to the well-paying construction jobs that will become available through the I-81 Viaduct Project and beyond. This is not an acceptable path for our city.

If one vital role of government is to develop a better city, an improved city, then an equitable workforce that benefits all city residents is well within its purpose and mission. Indeed, we believe this call for racial equity resonates with Mayor Ben Walsh’s words in his 2018 “State of the City,” when he said we “must seize the opportunity now to drive inclusive growth in the city and the region. We have a once in a generation opportunity to transform our community.” Driving inclusive *job* growth *will* transform our community.

Our city and region are seen by some observers as a prime example of the unfortunate, and unchecked, rise in inequality that has hollowed out communities across the nation. Leaving aside how we might have arrived at this point, we believe the leadership call today is for new plans, new workforce structures, new practices that meet the needs of the times. And one of the most urgent needs for our region is racial equity in the construction trades workforce. This report argues that

it is clearly well within our reach to build racially equitable worksites that include all local citizens. Indeed, all of us working to re-build our city have an opportunity to effectively model the inclusionary leadership that is a call to action.

We cannot escape the cross-community relationships that animate daily life in Onondaga County. We rely on each other, even when we live across the county from each other, or when some of us are “better connected” than others. As Dr. Martin Luther King, Jr. has observed: “We are all caught in an inescapable network of mutuality, tied into a single garment of destiny. Whatever affects one directly, affects all indirectly. We are made to live together because of the interrelated structure of reality.”

This report provides an educational tool to assist with the effort to reduce barriers city residents face within the construction trades by reflecting on the history that brought us to this point and understanding the policies and workforce labor goals that currently exist. In order for us to create greater racial equity within the construction trades it will take concerted effort and a collaborative, strategic commitment across all sectors.

To succeed, our community must make racial equity in the construction trades a priority *now*. A discussion on how to build equity should begin immediately with representation from major players, including: the City of Syracuse, Onondaga County government, the New York State Department of Transportation and Governor’s Office, unions, developers, workforce educators, nonprofit leaders, local stakeholders, funder, and community members.

Separate from this report, but based on its findings, Urban Jobs Task Force is releasing a number of recommendations for just such a collaboration. The convening group should be charged with prioritizing these recommendations.

## Appendix A Methodology

To evaluate the racial disparity facing Syracuse City residents of color in the construction trades, UJTF and LSCNY conducted various research activities:

- A. Collecting of data, analysis of that data, and mapping;
- B. Reviewing of documents, books, and existing studies;
- C. Interviews.

### **A. Collecting of Data, Analysis of Data, and Mapping**

We analyzed data from a number of sources. Primarily, our data was collected from records produced by governmental or municipal agencies running the five projects identified in Section V. As the records from each project were unique, slightly different methods of data extraction were used. The different methods and other unique information is detailed below, categorized by project:

#### **1. Hancock**

In order to obtain records on the Hancock project, a Freedom of Information Law (FOIL) request was served on the Syracuse Regional Airport Authority (SRAA). The FOIL requested the following:

- workforce data by craft, work hours, home zip code, ethnicity, gender, total workforce hours by craft.
- DBE (disadvantaged business enterprise) data by business name, business zip code, money awarded, and business description, (e.g., procurement).
- MWBE (minority and women-owned business enterprise) data by business name, business zip code, money awarded, and business description, (e.g., procurement).

- EEO (equal employment opportunity) data collection for the project.
- any project labor agreements (PLA) related to this project.

Quicker than other agencies, the SRAA provided full responses to our requests. The information we most relied on from the SRAA response were the PLA and three months of payroll records.

The records were produced as photocopies stored as PDFs. The payroll records were tailored to the contractor who provided them to, presumably, the SRAA. Data from the records were extracted using both manual scraping and automated scraping with optical character recognition in R, an open source, scripted computer language designed for statistical analysis and other data science tasks. Scraping is the process of taking information from a data source and inputting that data into a database software, like Excel, so analysis can be performed.

After scraping the records, we reviewed each record for a number of variables. We focused on eight variables extracting them from the records when available. These variables were:

- last four digits of social security numbers
- home zip codes or other location data
- status, titles, worker classification, and vocations
- race and gender
- project weekly gross pay<sup>160</sup>
- hourly wages when race or gender was available
- ending date of working period.

Payroll records for nine companies were reviewed:

- John W. Danforth Company
- Edward Schalk & Son, Inc.
- Longhouse Construction LLC
- Niagara Erecting, Inc.
- NRC NY Environmental Services, Inc.
- Patricia Electric, Inc.
- Quality Structures, Inc.
- Stone Bridge Iron & Steel, Inc.
- M&S Fire Protection

Of these nine contractors only five disclosed race.

## **2. Lakeview**

The data we received for the Lakeview project was given by Onondaga County. During the Summer of 2018, a REIS team interviewed then County Executive Joanie Mahoney, Personnel Commissioner Duane Owens, and Director of Purchasing Andrew Trombley. Resulting from that interview the County was willing to provide our collaborative with voluminous records regarding the Lakeview project. We believe the voluntary nature of the production shows good faith on the part of the County to engage the community in the issue of minority participation on construction worksites. We also believe that the County purposefully included substantial goals and mechanisms to encourage minority and women hiring on the Lakeview project. Its willingness to provide backup documentation shows a commitment to reviewing whether those goals were successful.

The documentation provided was primarily in the form of payroll records. Payroll records were from 36 contractors; of those, records from 28 contractors contained useful data. These payroll records were produced in hard copy paper format. We manually scraped each of the documents, pulling data for the following variables:

- Last four digits of social security numbers
- Home zip codes or other location data
- Status, titles, worker classification, and vocations
- Race and gender
- Project weekly gross pay
- Hourly wages when race or gender was available
- Ending date of working period.

### **3. Expo Center**

The New York State Office of General Services (“OGS”) provided records for the Expo Center project as a result of a FOIL request. The FOIL requested the following:

- workforce data by craft, work hours, zip code, ethnicity, gender, total work force hours by craft
- DBE data by business name, business zip code, money awarded, and business description, (e.g., procurement)
- MWBE data by business name, business zip code, money awarded, and business description, (e.g., procurement)
- EEO data collection for the project
- Any project labor agreements related to this project.

The Expo Center workforce data came in EEO Workforce Utilization Reporting Forms in Excel format. Reporting forms from 31 employers were provided. Data from these records was extracted through Excel.

These forms aggregated data for each employer. Due to the aggregation, these records provided less individualized information than the payroll records produced for the Hancock and Lakeview projects. We were unable to determine unique worker trends. We were able to determine total hours and total wages by race and gender of workers. The variables we reviewed were:

- EEO Job Categories
- job title
- total hours worked and total wages by race and gender.

#### **4. I-690**

NYS Department of Transportation provided I-690 project records in response to our FOIL request. We requested the following:

- workforce data by craft, work hours, home zip code, ethnicity, gender, total work force hours by craft
- DBE data by business name, business zip code, money awarded, and business description, (e.g., procurement)
- MWBE (minority and women-owned business enterprise) data by business name, business zip code, money awarded, and business description, (e.g., procurement)
- EEO (equal employment opportunity) data collection for the project
- any project labor agreements related to this project.

Unfortunately, the DOT did object to numerous aspects of our FOIL request. One important request that was denied was our request for zip codes and other information that would have assisted us in identifying whether a worker was unique without identifying their identity. Even without this information, the responses from the DOT provided insight into the workforce on the project.



The data provided on the I-690 project is for 47.28% of the project. Presumably, this is a percentage of the project completed on December 14, 2018, the date of the DOT's response to our FOIL. Data was extracted from two sources: 1) the employment utilization report (EUR); and 2) the contract workforce summary (CWS). Each are discussed below.

### **i. The Employment Utilization Report**

The EUR is an aggregated document containing workforce hours and number of employees. It gave an overview of the I-690 workforce by trade/job. The workforce hours and number of employees are broken down by trade/job and union classification.

Trades/Jobs: supervisors, foremen/women, clerical, mechanic, truck driver, iron-workers, carpenters, electrician, laborers-unskilled, laborers-semiskilled, other, surveyors, asbestos worker, cement masons, equipment operators, piledrivers, welders and cutter.

Union classifications: journeyman, apprentice, trainer foreman, and supervisor.

The EUR classified actual number of employees into two classification: total number of employees by gender and total number of minority employees by gender.

The EUR classified workforce hours into categories of trade/job, union classification, total employees by gender, and then race by gender. We were able to determine the number of hours worked by white employees by subtracting the total minority hours from the total hours worked. For number of employees data was given on the total employees by gender and the number of minority employees. Therefore some of the findings look at minority status. Here is a sample of the EUR:

**EMPLOYMENT UTILIZATION REPORT**

FINAL REPORT <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		Contract Number: D900035		County: ONONDAGA		State: NY															
Contract Goals: Minority: 3.80% Female: 6.90%		Report Period		Inception		Thru Today															
Name of Contractor: Consolidated		<input type="checkbox"/> Prime <input type="checkbox"/> Subcontractor		Federal Employer Identification																	
Date Work Began (Month & Year) 5/2017		Percentage of Work Completed to Date: 47.28%																			
EMPLOYMENT IN REPORTING PERIOD																					
JOB OR TRADE CATEGORY	TOTAL ALL EMPLOYEES BY TRADE				BLACK (Not of Hispanic Origin)		HISPANIC		ASIAN OR PACIFIC ISLANDER		AMERICAN INDIAN OR ALASKAN NATIVE		MINORITY Actual %/ Goal %		FEMALE Actual %/ Goal %		TOTAL NUMBER OF EMPLOYEES		TOTAL NUMBER OF MINORITY EMPLOYEES		
	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	M	F	
SUPERVISORS	J	133										10				5.31	0.00	3		1	
	A																				
	T															3.80	6.90	1			
	F	56																			
S																					
FOREMEN/WOMEN	J	316										27				8.40	0.00	8		2	
	A																				
	T															3.80	6.90				
	F																				
S																					
CLERICAL	J															0.00	100.00				
	A																				
	T															3.80	6.90			1	
	F																				
S																					
MECHANIC	J	61														0.00	0.00	1			
	A																				
	T															3.80	6.90				
	F																				
S																					
TRUCK DRIVER	J	200														0.00	0.00	6			
	A																				
	T															3.80	6.90				
	F																				
S																					

## ii. Contract Workforce Summary

The CWS provided data about the workforce broken down by contractor<sup>161</sup>. Each employee for the contractor was identified by gender, race, hours worked, and wages. Here is a sample of the CWS: is below.

08/28/2018

### Contract Workforce Summary

Page 1 of 9

D900035

A & K SLIPFORMING, INC.			Hours	Wages
MALE	WHITE		69.50	\$2,281.74
MALE	WHITE		73.00	\$2,794.67
MALE	WHITE		72.50	\$2,390.77
MALE	WHITE		76.50	\$3,986.91
MALE	WHITE		73.00	\$2,794.67
MALE	WHITE		76.50	\$3,490.41
MALE	WHITE		17.50	\$594.78
MALE	WHITE		73.00	\$2,794.67
MALE	WHITE		10.00	\$529.98
MALE	WHITE		10.00	\$353.65
MALE	WHITE		75.00	\$2,507.59
MALE	WHITE		72.50	\$2,767.63
MALE	WHITE		17.50	\$915.20
MALE	BLACK		17.50	\$515.75
MALE	WHITE		25.00	\$720.64
<b>A &amp; K SLIPFORMING, INC.</b>			<b>759.00</b>	<b>\$29,439.06</b>
BVR CONSTRUCTION INC.			Hours	Wages
MALE	WHITE		10.00	\$362.50
MALE	WHITE		69.50	\$2,287.38
MALE	WHITE		143.50	\$4,636.63
MALE	AMER IND/ALASKAN N		77.00	\$2,751.63
MALE	AMER IND/ALASKAN N		25.50	\$410.63
MALE	BLACK		80.50	\$3,094.39
MALE	AMER IND/ALASKAN N		32.50	\$1,033.13
MALE	WHITE		18.00	\$594.50
MALE	WHITE		10.00	\$362.50
MALE	WHITE		9.00	\$297.25
MALE	WHITE		104.00	\$2,184.00
<b>BVR CONSTRUCTION INC.</b>			<b>579.50</b>	<b>\$18,014.54</b>
CFR PAVING, INC.			Hours	Wages
MALE	BLACK		11.00	\$476.13
MALE	WHITE		36.25	\$1,054.67
MALE	AMER IND/ALASKAN N		11.00	\$337.00
MALE	WHITE		164.00	\$5,294.00
MALE	WHITE		114.50	\$5,792.21
MALE	WHITE		97.00	\$4,640.98
MALE	WHITE		8.50	\$246.40
MALE	WHITE		44.00	\$2,192.00
MALE	WHITE		220.00	\$7,258.43
MALE	WHITE		234.50	\$10,888.91
MALE	WHITE		39.50	\$986.80
MALE	WHITE		198.50	\$9,212.65
MALE	WHITE		141.50	\$4,599.69
MALE	WHITE		237.00	\$11,195.01
MALE	HISPANIC/LATINO		47.50	\$1,665.63
MALE	WHITE		212.00	\$7,088.27
MALE	AMER IND/ALASKAN N		21.00	\$633.56

## **5. JSCB**

The data collected on the JSCB project was minimal. The minimal collection was because the primary reason for including this project was to review a PLA with substantial workforce diversity language. The data that was received from the JSCB was in the form of a report from Landon and Rian. The REIS team reviewed compliance with the goals contained within the Diversification Plan and the PLA.

## **B. Review of Documents, Books, and Existing Studies**

Citations to these sources appear as Endnotes.

## **C. Interviews**

We interviewed the following individuals, organizations, and/or governmental agencies:

1. Ben Walsh, Mayor, City of Syracuse
2. Sharon Owens, Deputy Mayor, City of Syracuse
3. Lamont Mitchell, Director of Minority Affairs/MWBE Compliance Office, City of Syracuse
4. Joanie Mahoney, County Executive, Onondaga County
5. Duane Owens, Personnel Commissioner, Onondaga County
6. Andrew Trombley, Director of Purchasing, Onondaga County
7. Andy Breuer, President, Hueber-Breuer
8. David Nutting, CEO & Chairman, VIP Structures
9. Calvin Corridors, Regional President, Pathfinder Bank
10. David Goodness, Regional Director, Workforce Development Institute
11. Michael Pasquale, Director of Reintegration Services, Center for Community Alternatives
12. Robert Simpson, President & CEO, CenterState CEO

13. Dominic Robinson, Vice President of Economic Inclusion, CenterState CEO
14. Jeanette Zoeckler, Director of Prevention Services, Occupational Health Clinic Center
15. Ron Ehrenreich, Treasurer & CEO, Cooperative Federal Credit Union
16. Christina Sauve, Assistant Treasurer & COO, Cooperative Federal Credit Union
17. Christopher Montgomery, Program Coordinator, SUNY-EOC
18. Kishi Animashaun Ducre, Associate Dean for Diversity, Equity, Inclusion; Associate Professor African American Studies, Syracuse University
19. Bea Gonzalez, Vice President of Community Engagement and Special Assistant to the Chancellor, Syracuse University
20. Michael Collins, Executive Director, Syracuse Northeast Community Center
21. Jim Mason, Jeff Murraray, Mitch Latimer, Tom Iorizzo, Bill Maxim, Council Representatives, Carpenters Union
22. Individual construction workers – we interviewed a number of construction workers, both union members and not. In order to protect their privacy their names are not included within this report.

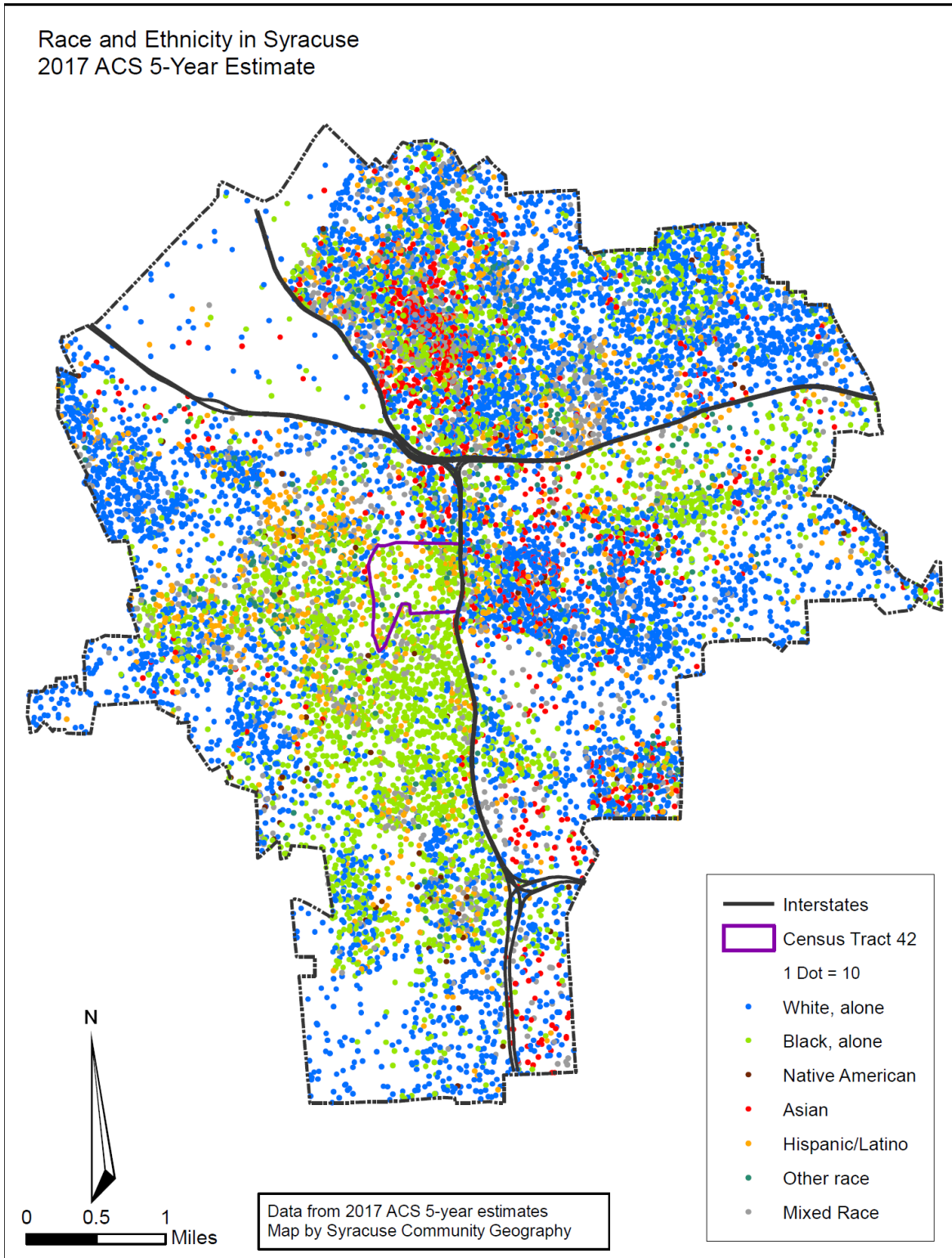
For each interview, the interviewees were asked a number of questions based on their expertise and knowledge base. The questions asked were created by the collaborative prior to the interview. A sample of the questions that were asked is reproduced below.

1. The REIS will use census data and studies to create a Syracuse profile. In your opinion, why is Syracuse struggling with poverty? What are some of the approaches that you would advocate for to combat this crippling poverty?
2. Besides describing Syracuse's concentrated poverty and barriers to gainful employment, the REIS will specifically document racial disparities in the construction trades and offer suggestions to promote more racial equity on the I-81 Viaduct Project. Do you have thoughts about how the construction

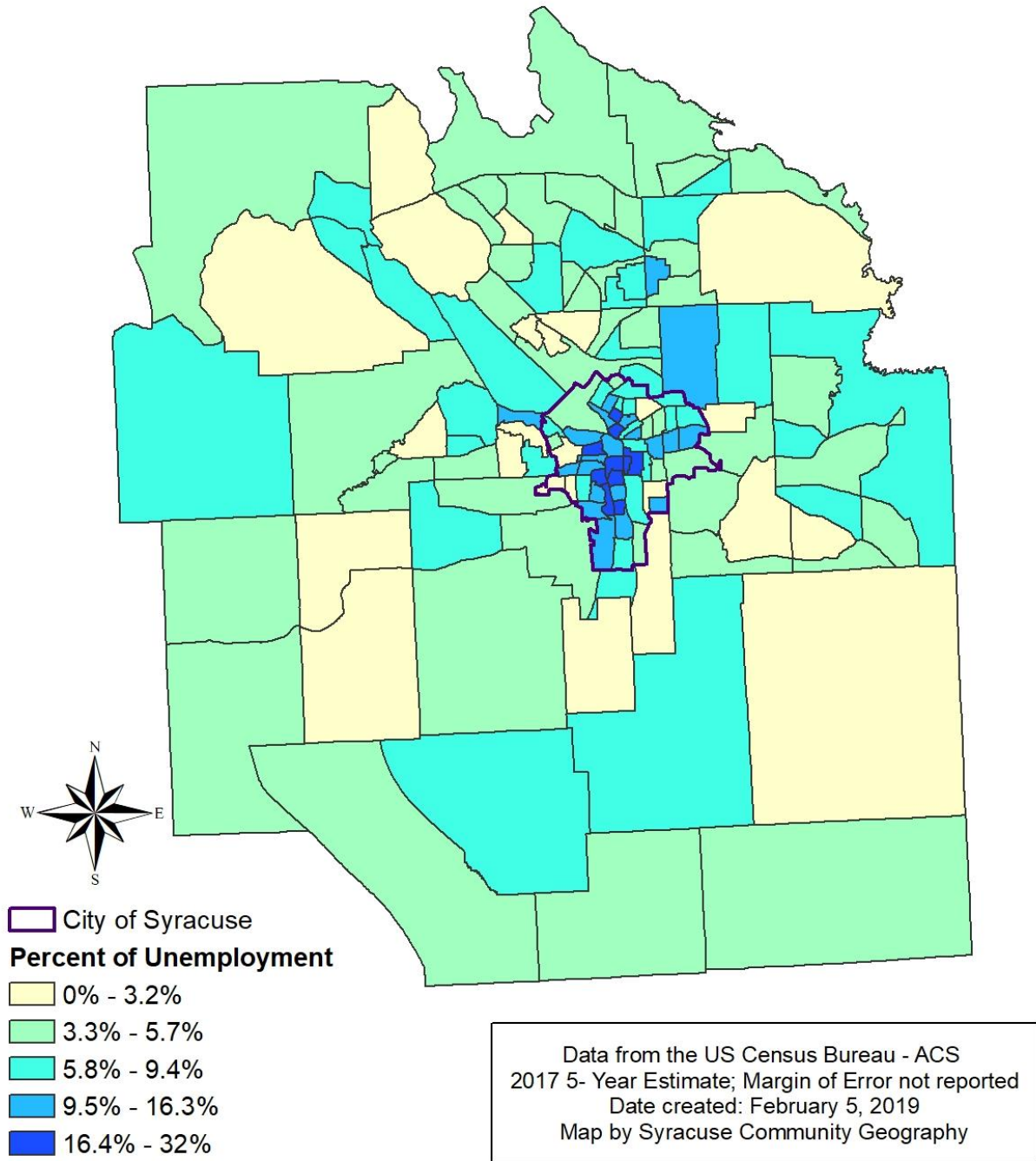
trades could be more inclusive of people of color? What are some of the barriers?

3. Do you feel that there are skilled tradespersons of color ready to work now? If so, in your opinion, why aren't they more visible on local construction worksites and what can be done about it?
4. Mayor Ben Walsh announced at his first "State of the City" address that Syracuse would create "Syracuse Build," a program that would build a construction workforce from city residents. It would be modeled after San Francisco's City Build. Given what you know about the trades, if you were in charge of creating "Syracuse Build," what kind of program would you build that would diversify the trades? And how would you fund it?
5. Are there reports with data that you think would be helpful for our Racial Equity Impact Statement?
6. Who else might we interview for our REIS? Do you know any person of color that has a story, (positive, negative or mixed) regarding their experience in construction trades that they might share with our REIS team?
7. Do you have anything else you want to add?

## Appendix B Tables and Maps

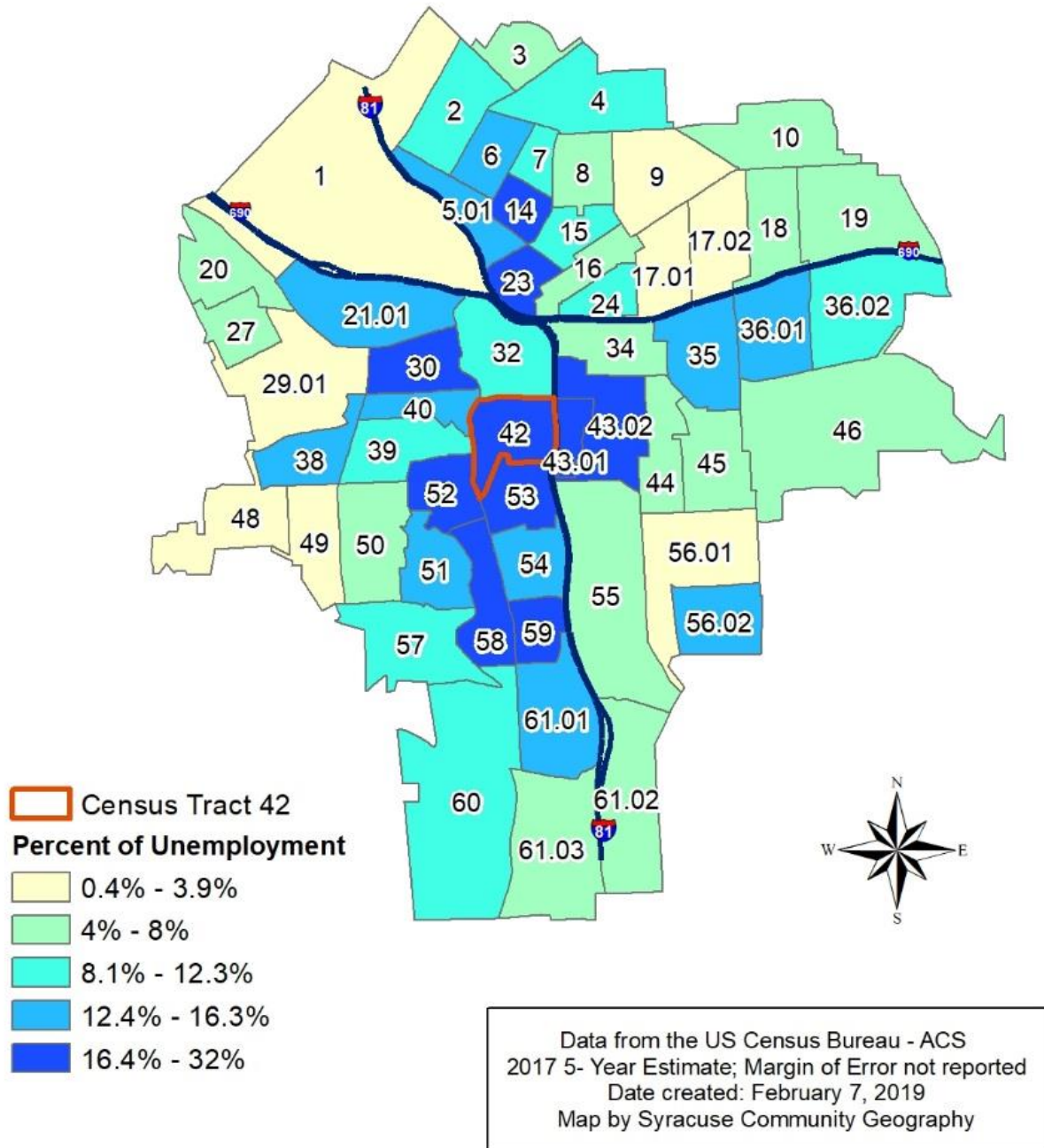


## Percent of Unemployment by Census Tract: Onondaga County

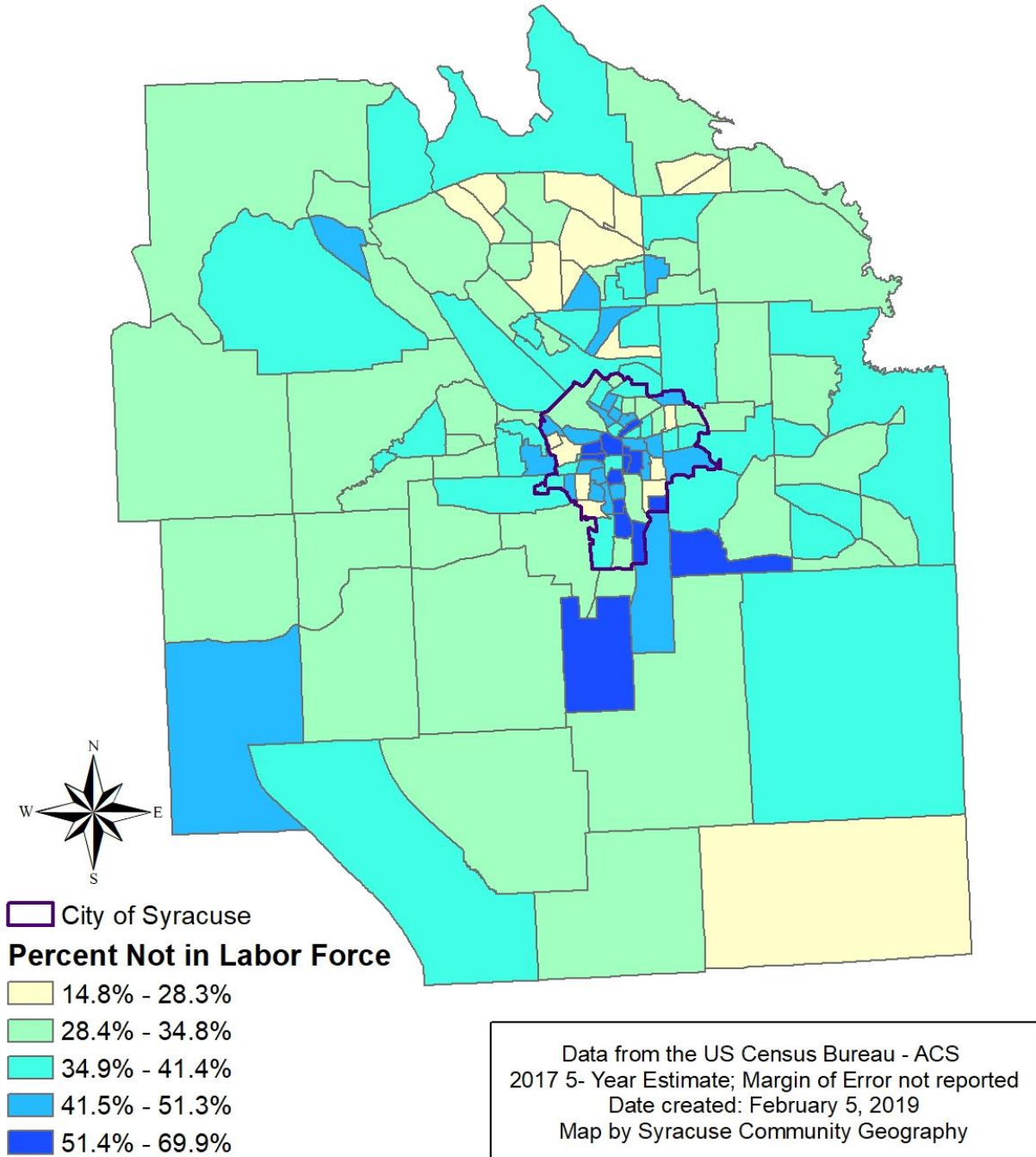




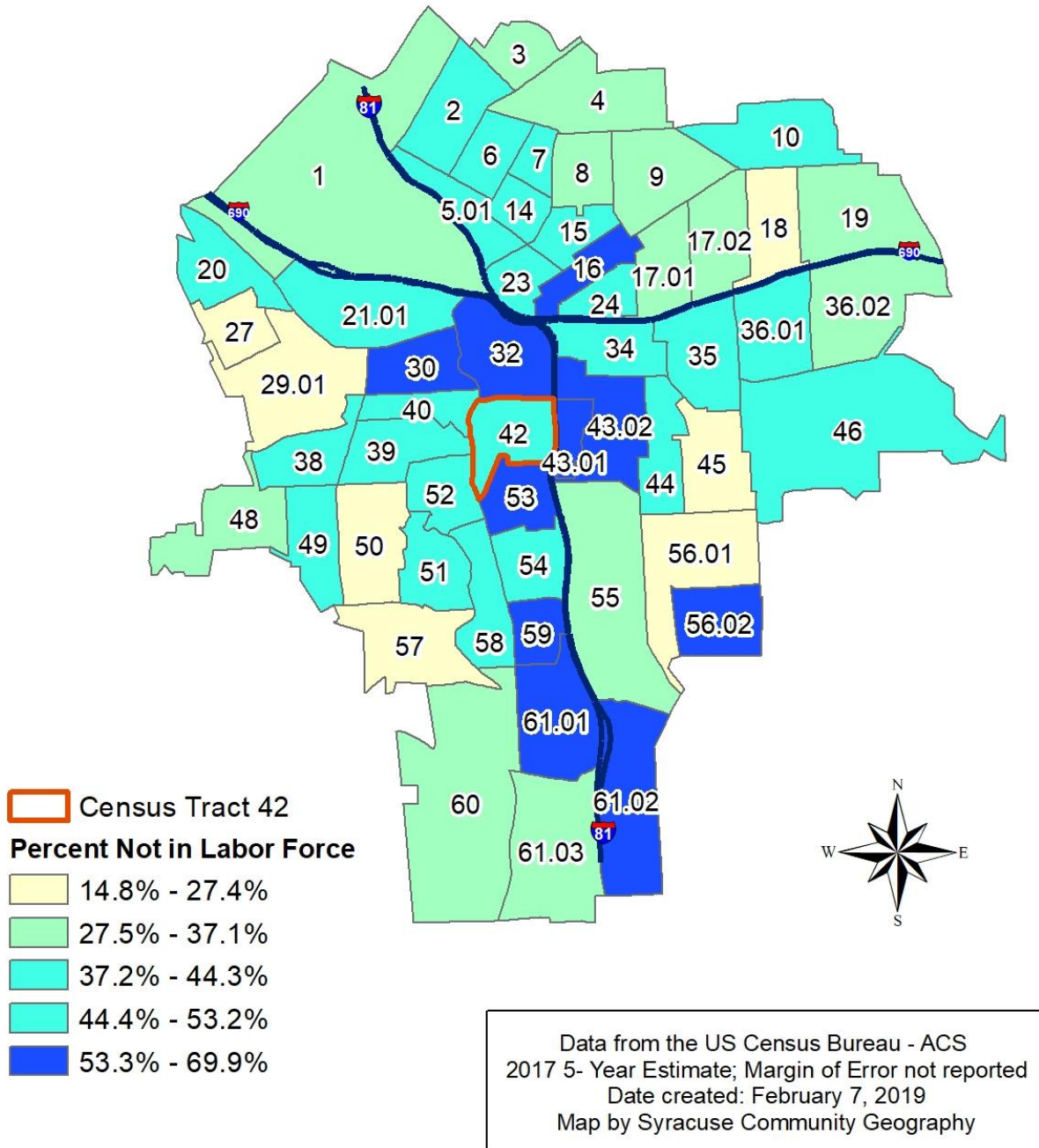
## Percent of Unemployment by Census Tract: City of Syracuse



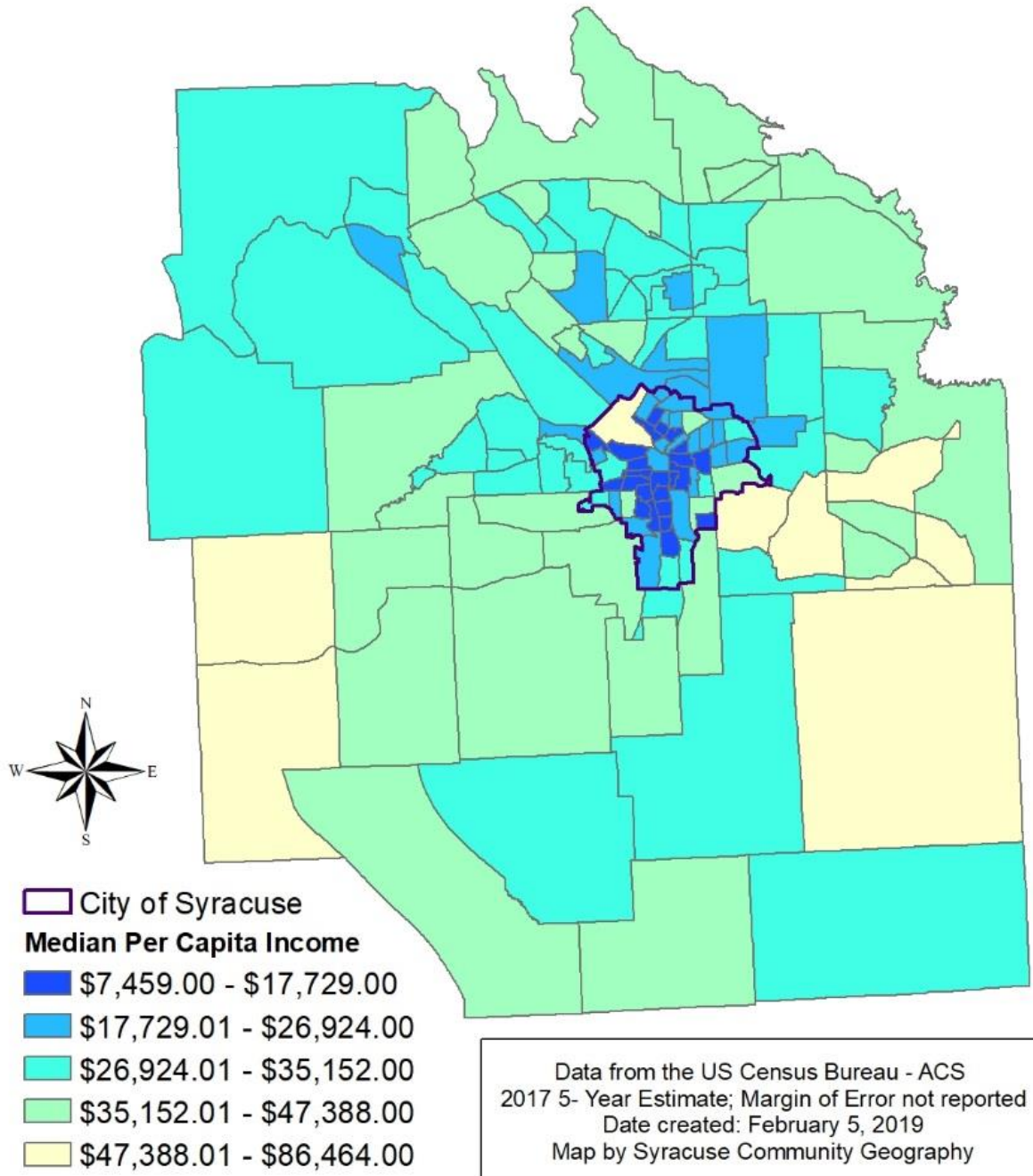
## Percent Not in Labor Force by Census Tract: Onondaga County



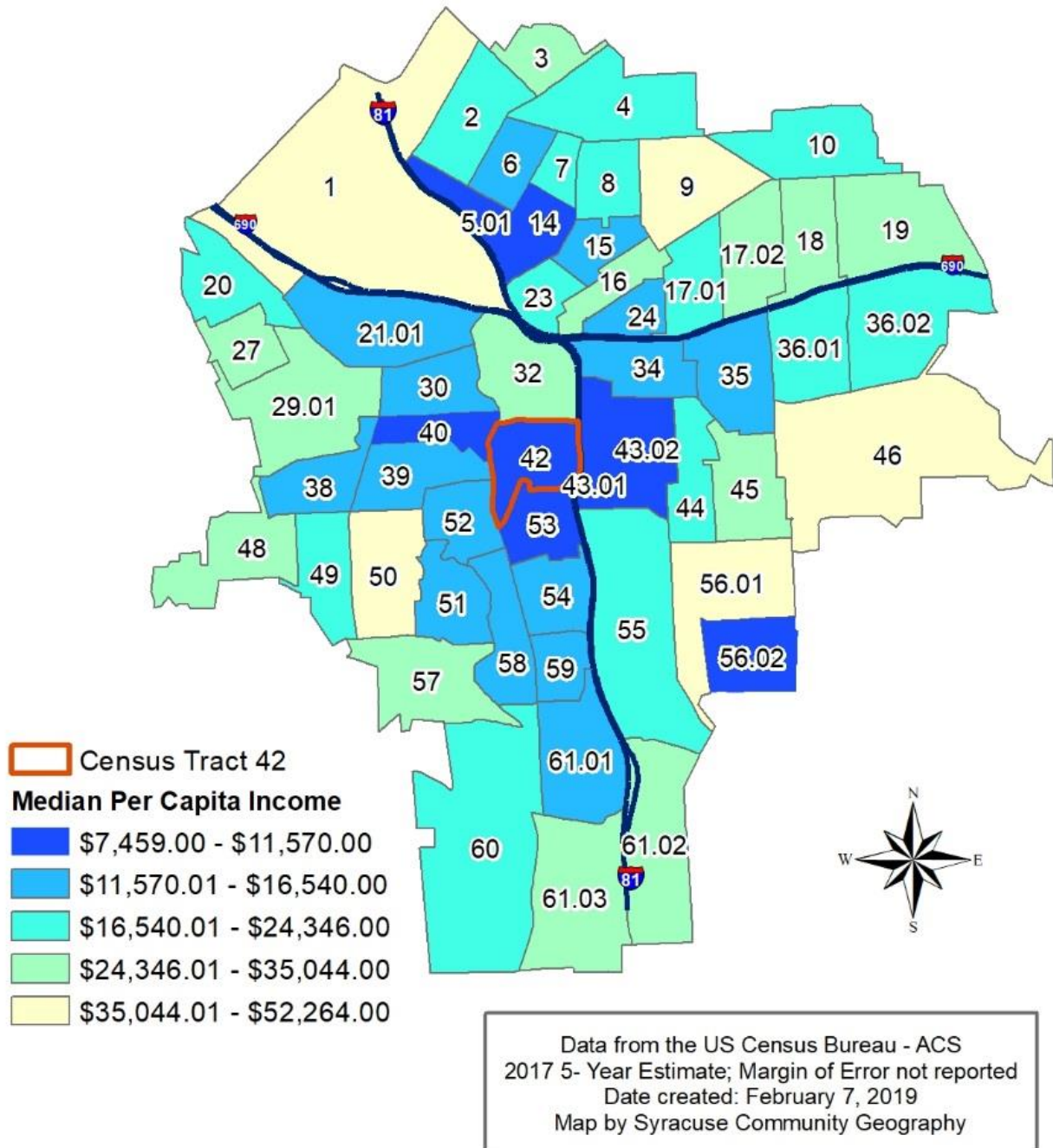
## Percent Not in Labor Force by Census Tract: City of Syracuse



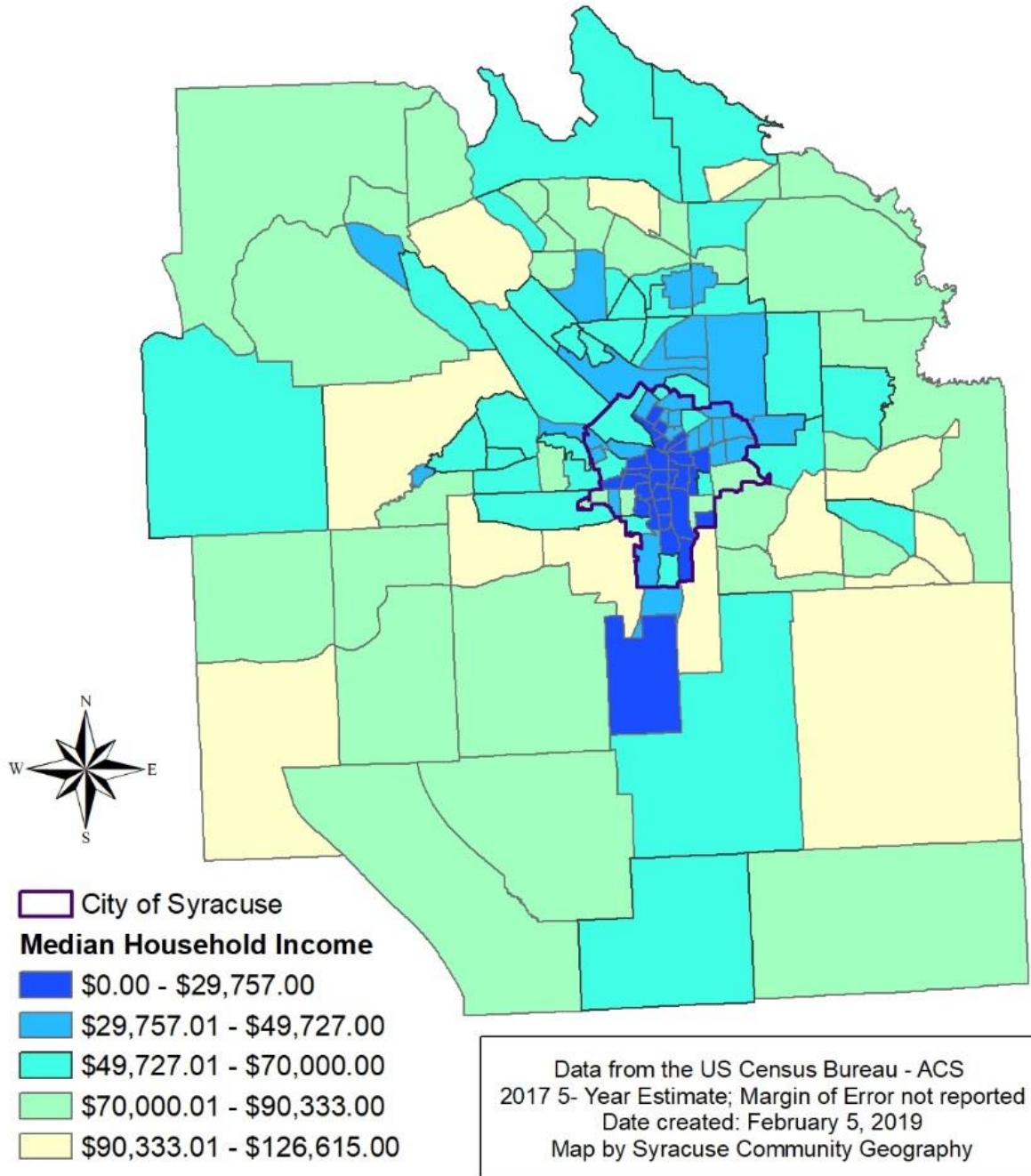
## Median Per Capita Income by Census Tract: 2017 Inflation-Adjusted Dollars Onondaga County



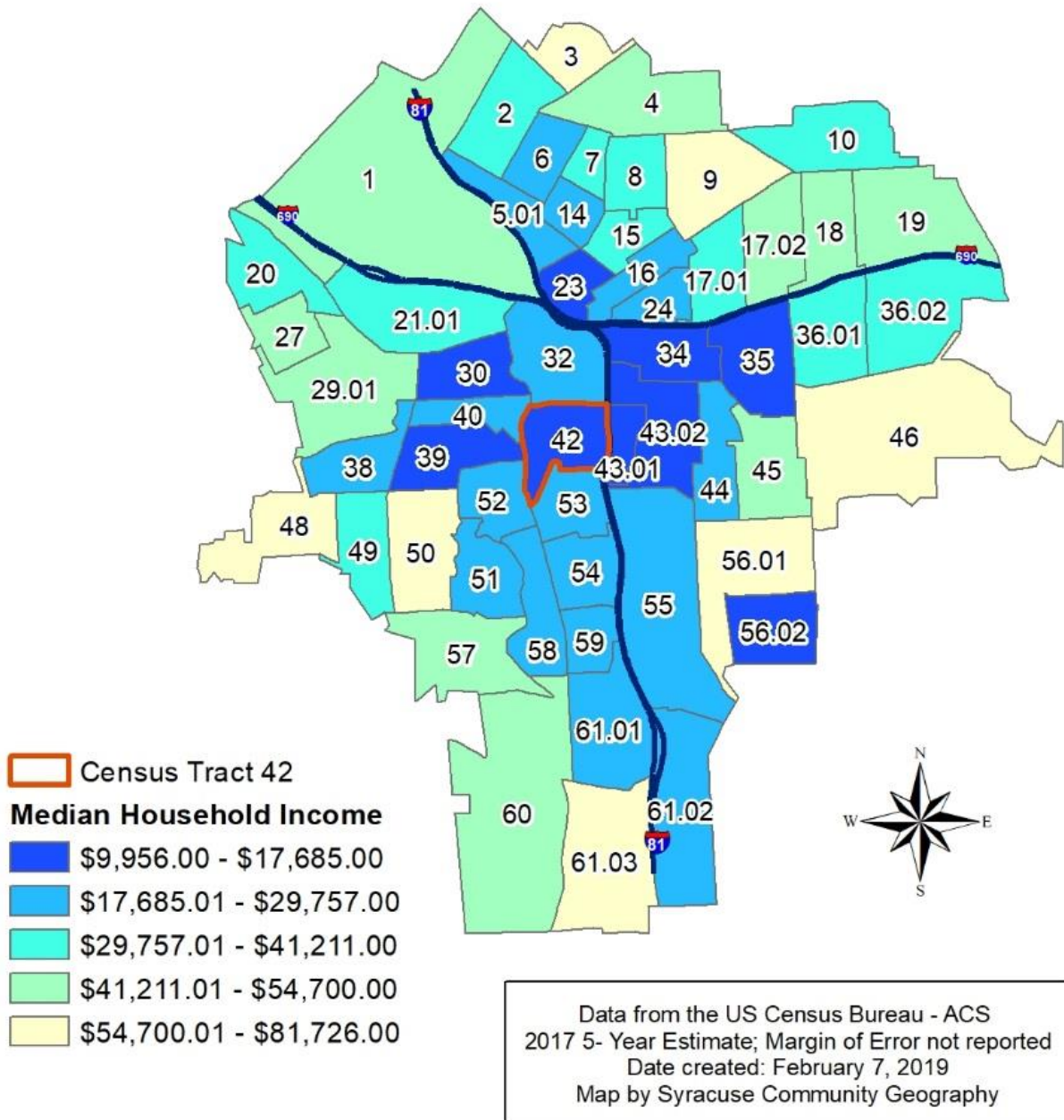
## Median Per Capita Income by Census Tract: 2017 Inflation-Adjusted Dollars City of Syracuse



## Median Household Income by Census Tract: 2017 Inflation-Adjusted Dollars Onondaga County



## Median Household Income by Census Tract: 2017 Inflation-Adjusted Dollars City of Syracuse



**Table 3: Zip Code Location of Workers**  
Hancock Airport

County	State	Workers	Workforce (%)	Periods	Workforce Periods (%)	Hours	Workforce Hourage (%)	Gross	Workforce Gross (%)
Onondaga	NY	65	31.86%	262	28.60%	9,734	27.36%	\$288,849	25.54%
Oswego	NY	51	25.00%	218	23.80%	8,231	23.14%	\$262,136	23.18%
Tioga	PA	5	2.45%	45	4.91%	2,305	6.48%	\$70,843	6.26%
Cortland	NY	4	1.96%	37	4.04%	1,832	5.15%	\$63,370	5.60%
Cayuga	NY	7	3.43%	44	4.80%	1,657	4.66%	\$54,589	4.83%
Oneida	NY	9	4.41%	34	3.71%	1,270	3.57%	\$45,475	4.02%
Broome	NY	2	0.98%	21	2.29%	1,038	2.92%	\$41,179	3.64%
Madison	NY	9	4.41%	42	4.59%	1,375	3.87%	\$39,965	3.53%
-	-	18	8.82%	26	2.84%	924	2.60%	\$29,881	2.64%
Steuben	NY	3	1.47%	24	2.62%	980	2.75%	\$27,872	2.46%
Schoharie	NY	1	0.49%	13	1.42%	680	1.91%	\$27,697	2.45%
Chemung	NY	2	0.98%	20	2.18%	957	2.69%	\$27,558	2.44%
Ontario	NY	4	1.96%	21	2.29%	662	1.86%	\$23,060	2.04%
Genesee	NY	2	0.98%	18	1.97%	673	1.89%	\$21,290	1.88%
St. Lawrence	NY	1	0.49%	9	0.98%	432	1.21%	\$17,895	1.58%
Monroe	NY	6	2.94%	15	1.64%	514	1.44%	\$16,846	1.49%
Livingston	NY	1	0.49%	11	1.20%	457	1.28%	\$16,759	1.48%
Lycoming	PA	1	0.49%	9	0.98%	436	1.22%	\$15,570	1.38%
Wayne	NY	2	0.98%	12	1.31%	453	1.27%	\$12,883	1.14%
Cattaraugus	NY	2	0.98%	10	1.09%	252	0.71%	\$6,286	0.56%
Seneca	NY	2	0.98%	6	0.66%	190	0.53%	\$6,278	0.56%
Schuyler	NY	1	0.49%	6	0.66%	197	0.55%	\$4,691	0.41%
Jefferson	NY	1	0.49%	5	0.55%	136	0.38%	\$4,624	0.41%
Erie	NY	2	0.98%	4	0.44%	87	0.24%	\$2,586	0.23%
Tompkins	NY	2	0.98%	3	0.33%	64	0.18%	\$1,625	0.14%
Herkimer	NY	1	0.49%	1	0.11%	40	0.11%	\$1,160	0.10%

Source: records disclosing zip code  
Syracuse Regional Airport Authority



**Table 8: Zip Code Location of Workers**  
Lakeview Amphitheater

County	State	Workers	Workforce (%)	Periods	Workforce Periods (%)	Hours	Workforce Hours (%)	Gross	Workforce Gross (%)
Onondaga	NY	219	42.52%	1,319	43.76%	48,896	42.41%	\$1,535,882	41.19%
Oswego	NY	89	17.28%	522	17.32%	19,201	16.65%	\$616,823	16.54%
Oneida	NY	27	5.24%	150	4.98%	6,175	5.36%	\$224,100	6.01%
Cortland	NY	16	3.11%	140	4.64%	6,260	5.43%	\$206,759	5.54%
Cayuga	NY	22	4.27%	152	5.04%	5,751	4.99%	\$184,741	4.95%
-	-	22	4.27%	115	3.82%	4,562	3.96%	\$162,144	4.35%
Madison	NY	21	4.08%	145	4.81%	4,866	4.22%	\$152,340	4.09%
Erie	NY	7	1.36%	43	1.43%	2,510	2.18%	\$101,909	2.73%
Tioga	NY	13	2.52%	57	1.89%	2,448	2.12%	\$82,019	2.20%
Steuben	NY	4	0.78%	40	1.33%	1,944	1.69%	\$65,263	1.75%
Schuyler	NY	7	1.36%	48	1.59%	1,770	1.54%	\$59,388	1.59%
Wayne	NY	6	1.17%	33	1.09%	1,598	1.39%	\$45,343	1.22%
Tompkins	NY	10	1.94%	50	1.66%	1,358	1.18%	\$42,001	1.13%
Seneca	NY	8	1.55%	32	1.06%	1,318	1.14%	\$41,600	1.12%
Monroe	NY	14	2.72%	33	1.09%	949	0.82%	\$29,231	0.78%
Chemung	NY	5	0.97%	24	0.80%	966	0.84%	\$25,817	0.69%
Niagara	NY	1	0.19%	10	0.33%	616	0.53%	\$23,917	0.64%
Cattaraugus	NY	1	0.19%	12	0.40%	612	0.53%	\$22,628	0.61%
Jefferson	NY	3	0.58%	18	0.60%	644	0.56%	\$21,204	0.57%
Livingston	NY	2	0.39%	11	0.36%	472	0.41%	\$19,021	0.51%
Chenango	NY	3	0.58%	14	0.46%	567	0.49%	\$17,382	0.47%
Herkimer	NY	5	0.97%	12	0.40%	439	0.38%	\$16,413	0.44%
Albany	NY	1	0.19%	12	0.40%	574	0.50%	\$9,750	0.26%
Franklin	NY	2	0.39%	6	0.20%	248	0.21%	\$8,123	0.22%
Broome	NY	4	0.78%	8	0.27%	286	0.25%	\$6,556	0.18%
Orleans	NY	1	0.19%	3	0.10%	139	0.12%	\$4,461	0.12%
Lewis	NY	1	0.19%	4	0.13%	94	0.08%	\$3,511	0.09%
Wyoming	NY	1	0.19%	1	0.03%	26	0.02%	\$876	0.02%

Source: records disclosing zip code  
Onondaga County

**Table 13: Trade Workforce by Race**

I-690

Trade	White Workers	White Workers (%)	Minority Workers	Minority Workers (%)	Total Workers
Laborers Semiskilled	87	76.99%	26	23.01%	113
Equipment Operator	90	95.74%	4	4.26%	94
Iron Workers	56	78.87%	15	21.13%	71
Carpenters	25	96.15%	1	3.85%	26
Cement Masons	22	95.65%	1	4.35%	23
Electricians	22	100.00%	0	0.00%	22
Piledriver	18	94.74%	1	5.26%	19
Laborers Unskilled	8	88.89%	1	11.11%	9
Foreman	6	75.00%	2	25.00%	8
Truck Driver	6	100.00%	0	0.00%	6
Asbestos Workers	4	100.00%	0	0.00%	4
Supervisor	3	75.00%	1	25.00%	4
Welders & Cutters	3	75.00%	1	25.00%	4
Surveyors	3	100.00%	0	0.00%	3
Clerical	1	100.00%	0	0.00%	1
Mechanic	1	100.00%	0	0.00%	1
Other	1	100.00%	0	0.00%	1

**Table 16: Workers by Contractors and Race on I-690**

I-690

	Race	Workers	Contractor Workforce (%)
<b>A&amp;K Slipforming Inc</b>			
	White	14	93.3
	Black	1	6.7
<b>BVR Construction</b>			
	White	7	63.6
	Black	1	9.1
	Indigenous	3	27.3
<b>CFR Paving</b>			
	White	14	77.8
	Black	1	5.6
	Indigenous	2	11
	Hispanic	1	5.6
<b>Concrete Cutting</b>			
	White	3	100
<b>Crane-Hogan</b>			
	White	111	84.1
	Black	12	9.1
	Indigenous	3	2.3
	Hispanic	6	4.5
<b>Dardrill</b>			
	White	3	100
<b>DGI-Menard</b>			
	White	17	100
<b>Donegal Construction</b>			
	White	7	100
<b>Eastwood Industries</b>			
	White	4	100
<b>Elderlee</b>			
	White	22	78.5
	Black	1	3.6
	Indigenous	4	14.3
	Hispanic	1	3.6
<b>Hayward Baker</b>			
	White	7	100
<b>Herbert F. Darling</b>			
	White	15	88.2
	Black	2	11.8
<b>Joseph J. Lane</b>			
	White	9	81.8

Building Equity in the Construction Trades  
Appendix B

	Black	1	9.1
	Hispanic	1	9.1
<b>Kocher-O'Brien Construction</b>			
	White	4	80
	Indigenous	1	20
<b>L.M. Sessler Excavating and Wreck</b>			
	White	27	93
	Black	1	3.5
	Hispanic	1	3.5
<b>Longhouse Construction Group</b>			
	White	46	83.6
	Black	1	1.8
	Indigenous	8	14.6
<b>O'Connell Electric</b>			
	White	23	100
<b>Ravi Engineers</b>			
	White	3	100
<b>Sessler Environ. Serv</b>			
	White	10	100
<b>Syrstone</b>			
	White	2	100

Source: NYS DOT

## Endnotes

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- <sup>4</sup> Ibid.
- <sup>5</sup> Ibid.
- <sup>6</sup> Ibid.
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- <sup>9</sup> “The Homeowner’s Loan Corporation.”
- <sup>10</sup> “The Homeowner’s Loan Corporation.”
- <sup>11</sup> CNY Fair Housing, *Analysis of Impediments to Fair Housing: Syracuse & Onondaga County, NY*, 39.
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- <sup>14</sup> Ibid.
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- <sup>16</sup> Stamps and Stamps, *Salt City and Its Black Community*, 47.
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- <sup>18</sup> Stamps and Stamps, *Salt City and Its Black Community*, 47.
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- <sup>21</sup> Catherine Mahala Adams, “Defending Our Place: Protest on the Southside of Syracuse” (M.A. thesis, Syracuse University, 2003), 53-54.
- <sup>22</sup> Stamps and Stamps, *Salt City and Its Black Community*, 78.
- <sup>23</sup> Ducre, *A Place We Call Home*, 23.
- <sup>24</sup> Ducre, *A Place We Call Home*, 40.
- <sup>25</sup> Adams, “Defending Our Place,” 61.
- <sup>26</sup> Zoe Cornwall, *Human Rights in Syracuse: Two Memorable Decades* (Syracuse, NY: Human Rights Commission of Syracuse and Onondaga County, 1989), 21.
- <sup>27</sup> Stamps and Stamps, *Salt City and Its Black Community*, 83.
- <sup>28</sup> Cornwall, *Human Rights in Syracuse*, 13.
- <sup>29</sup> Stamps and Stamps, *Salt City and Its Black Community*, 80-81.
- <sup>30</sup> Stamps and Stamps, *Salt City and Its Black Community*, 81.
- <sup>31</sup> Alana Semuels, “How to Decimate a City,” *The Atlantic*, accessed January 17, 2019, <https://www.theatlantic.com/business/archive/2015/11/syracuse-slums/416892/>
- <sup>32</sup> Ibid.
- <sup>33</sup> US Census Bureau, 2017 Population Estimate based on American Community Survey 5-year estimate
- <sup>34</sup> *Race and Ethnicity in Syracuse, 2017 ACS 5-Year Estimate*, Syracuse Community Geography, February, 2019.
- <sup>35</sup> *Below The Line: An Analysis of Barriers to Opportunity in Syracuse*, City of Syracuse, the Office of Accountability, Performance and Innovation, November 2018, p.4.

- <sup>36</sup> *Onondaga County Unemployment Rate, 2017 ACS 5-Year Estimate*, Syracuse Community Geography, February, 2019.
- <sup>37</sup> *City of Syracuse Unemployment Rate, 2017 ACS 5-Year Estimate*, Syracuse Community Geography, February, 2019.
- <sup>38</sup> *Onondaga County Percent Not in the Labor Force (Age 16+)*, Syracuse Community Geography, February, 2019.
- <sup>39</sup> *City of Syracuse Percent Not in the Labor Force (Age 16+)*, Syracuse Community Geography, February, 2019.
- <sup>40</sup> *Median Per Capita Income* maps have an inverted color scheme so that its census tracts align with the ones on the *Unemployment Rate* and *Percent Not in the Labor Force* maps.
- <sup>41</sup> *Onondaga County Median Per Capita Income, 2017 ACS 5-Year Estimate*, Syracuse Community Geography, February, 2019.
- <sup>42</sup> *City of Syracuse Median Per Capita Income, 2017 ACS 5-Year Estimate*, Syracuse Community Geography, February, 2019.
- <sup>43</sup> *Median Household Income* maps have an inverted color scheme so that its census tracts align with the ones on the *Unemployment Rate* and *Percent Not in the Labor Force* maps.
- <sup>44</sup> *Onondaga County Median Household Income, 2017 ACS 5-Year Estimate*, Syracuse Community Geography, February, 2019.
- <sup>45</sup> *City of Syracuse Median Household Income, 2017 ACS 5-Year Estimate*, Syracuse Community Geography, February, 2019.
- <sup>46</sup> Data USA, [https://datausa.io/profile/geo/syracuse-ny/#category\\_occupations](https://datausa.io/profile/geo/syracuse-ny/#category_occupations), a project developed by MIT Media Lab and Deloitte Services.
- <sup>47</sup> Ibid, [https://datausa.io/profile/geo/syracuse-ny/#category\\_industries](https://datausa.io/profile/geo/syracuse-ny/#category_industries)
- <sup>48</sup> *Low-Wage Work in Syracuse*, Occupational Health Clinical Center and The Workforce Development Institute, 2014, p. 5.
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- <sup>51</sup> ALICE in Onondaga County, United Way – New York, 2016.
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- <sup>54</sup> U.S. Census Bureau, Current Population Survey, 2000 – 2017.
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- <sup>59</sup> McMahon, Julie. "Syracuse city schools graduation rate hits 60 percent for the first time in 10 years." Syracuse.com, Syracuse, New York, February 10, 2017.
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- <sup>61</sup> <https://www.nccer.org/about-us> , March 3, 2019.
- <sup>62</sup> <https://www.nccer.org/workforce-development-programs/disciplines> , March 3, 2019.
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- <sup>65</sup> <http://trends.vera.org/rates/onondaga-county-ny>, Vera Institute of Justice, 2018.
- <sup>66</sup> Kathleen Q. Seelye, "Devah Pager Dies at 46; Exposed Shocking Race Bias in the Job Market." *New York Times*, New York, New York, November 9, 2018.
- <sup>67</sup> Daniel Davis and Daniel Saperstein, <https://www.governmentcontractorcomplianceupdate.com/2014/12/29/syracuse-bans-the-box-for-city-contractors/> , December 24, 2014.

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<sup>79</sup> DBE Certification Program. “Interstate DBE Certification”: <https://www.dot.ny.gov/main/businesscenter/civil-rights/general-info/dbe-certification> (accessed January 11, 2019)

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<sup>122</sup> “Broken Promises, big Losses: The story of DC workers watching from the dugout as the \$611 million Washington Nationals Ballpark is built.” District Economic Empowerment Coalition. October 1, 2007.

<sup>123</sup> At the time of this report, there was a great deal unknown about the I-81 Viaduct Project including the alternative that would be chosen.

<sup>124</sup> New York Public Officers Law Article 6

<sup>125</sup> The request contained within our FOIL letters is reproduced within the methodology section contained within Appendix X.

<sup>126</sup> [https://www.syracuse.com/news/index.ssf/2018/07/first\\_look\\_inside\\_syracuse\\_airport\\_terminal\\_renovations\\_photos.html](https://www.syracuse.com/news/index.ssf/2018/07/first_look_inside_syracuse_airport_terminal_renovations_photos.html) (accessed March 5, 2019)

<sup>127</sup> [https://en.wikipedia.org/wiki/Lakeview\\_Amphitheater](https://en.wikipedia.org/wiki/Lakeview_Amphitheater) (accessed March 5, 2019)

<sup>128</sup> [https://www.syracuse.com/statefair/index.ssf/2018/08/see\\_inside\\_the\\_new\\_63m\\_expo\\_center\\_at\\_the\\_nys\\_fair\\_photos.html](https://www.syracuse.com/statefair/index.ssf/2018/08/see_inside_the_new_63m_expo_center_at_the_nys_fair_photos.html) (accessed March 5, 2019)

<sup>129</sup> <https://www.governor.ny.gov/news/governor-cuomo-announces-opening-new-expo-center-2018-great-new-york-state-fair> (accessed March 5, 2019)

<sup>130</sup> [https://www.syracuse.com/news/index.ssf/2017/05/work\\_begins\\_monday\\_on\\_65\\_million\\_i-690\\_bridge\\_project\\_traffic\\_cones\\_go\\_up\\_monday.html](https://www.syracuse.com/news/index.ssf/2017/05/work_begins_monday_on_65_million_i-690_bridge_project_traffic_cones_go_up_monday.html) (accessed March 5, 2019)

<sup>131</sup> “Project Labor Agreement Covering the Syracuse Hancock International Airport Terminal Improvement Project.” p. 7.

<sup>132</sup> Ibid at 7-8.

<sup>133</sup> Ibid at 45-46.

<sup>134</sup> “Project Labor Agreement Covering the Lakeview Amphitheater Project.” p. 7-9.

<sup>135</sup> Ibid at 43-44.

<sup>136</sup> Defined in the PLA as a business with average annual receipts of less than \$1,000,000 and whose subcontracts in total represent no more than 7.5% of that Contractor’s contract on the project.

<sup>137</sup> Defined for the purposes of the PLA as a subcontractor who has been identified in the contractor’s approved Minority/Women’s Business Utilization Plan and whose subcontracts in total represent approximately 15% for minority business and 5% for women’s business.

<sup>138</sup> “Project Labor Agreement Covering the State Fairgrounds Project.” p. 7-9.

<sup>139</sup> Ibid at 8.

<sup>140</sup> Ibid at 44.

<sup>141</sup> “Project Labor Agreement Covering The Teall Avenue and Beech St. Design-Build Project NYSDOT Contract Number XXXXXXXXX (PIN 3506.41).” p. 7-9.

<sup>142</sup> Ibid at 41.

<sup>143</sup> The Diversification Plan can be found at:  
[http://www.syr.gov/uploadedFiles/JSCB/Content/Resolution%20No.%2040-2017-jscb\\_diversification\\_plan%20%20Final%203-23-17.pdf](http://www.syr.gov/uploadedFiles/JSCB/Content/Resolution%20No.%2040-2017-jscb_diversification_plan%20%20Final%203-23-17.pdf).

<sup>144</sup> Joint Schools Construction Board, “Phase II – Development and Diversification Plan for Workforce & Business.” March 2017 (Revised 3-23-17). p. 2.

<sup>145</sup> Ibid at 5.

<sup>146</sup> Ibid at 7.

<sup>147</sup> Ibid at 8-9.

<sup>148</sup> “Project Labor Agreement Covering The Syracuse City School District District-Wide Reconstruction Program Phase II.” p. 8-11.

<sup>149</sup> Ibid at 10.

<sup>150</sup> The counties are Onondaga, Oswego, Madison, Cayuga, Oneida, and Cortland.

<sup>151</sup> “Project Labor Agreement Covering The Syracuse City School District District-Wide Reconstruction Program Phase II.” p. 26-27.

<sup>152</sup> Joint School Construction Board, “Side Letter” dated May 3, 2017.

<sup>153</sup> Joint School Construction Board, “Side Letter of Agreement to the Project Labor Agreement Covering the Syracuse City School District District-Wide Reconstruction Program (Phase II)” dated May 3, 2017.

<sup>154</sup> The ICO and City’s Corporation Counsel determine if the exemption is reasonable for the contractor to meet the goals in the Diversification Plan.

<sup>155</sup> The race classifications listed were the terms used on the payroll records.

<sup>156</sup> For Section IV, “within Syracuse” is defined as zip code areas in which more than 50% of its areas falls within Syracuse city limits.

<sup>157</sup> The categories of race referred to in this section are from the EUR.

<sup>158</sup> The workforce reflected in the EUR was 409 while in the CWR was only 400. The reason for this nine employee difference is unknown.

<sup>159</sup> Landon & Rian, “JSCB Compliance January 31, 2019 meeting Report.”

<sup>160</sup> When reviewing payroll records for Lakeview we noticed that some records reflected a gross pay and a project gross pay. The project gross pay showed earnings only for the project. If an employee worked partially on the project and then on a different project their gross would include work on both projects. We therefore focused only on project gross pay to show wages actually earned on the project.

<sup>161</sup> The term contractor in this summary refers to both contractors and subcontractors.