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FEATURED

Council members vow to pull out 'hammer' over Rebuild job diversity

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Council members Derek Green, left, Curtis Jones, Cindy Bass and Maria Quinonez-Sanchez discuss their plans to fight for an inclusive labor force for upcoming Rebuild projects.

In a firm display of unity, four City Council members pledged to push for diversity and inclusion in the city's \$500 million Rebuild initiative.

In a meeting with the Tribune last week, the Democrats — Cindy Bass, Maria Quiñones-Sánchez, Derek Green and Curtis Jones Jr. — assured the existence of at least nine votes either for or against the legislation if goals around those issues are not met.

Bass, chair of Council's committee on parks, recreation and cultural affairs, said she planned to put her Rebuild concerns into writing in the form of legislation and amendments to the initiative.

"If we're not going to do it right, I'm not voting for it," she pledged.

Rebuild, also known as Rebuilding Community Infrastructure, is aimed at improving parks, libraries and recreation centers in the city. One of Mayor Jim Kenney's primary initiatives, it will be funded in part by the sugary beverage tax that took effect in January.

The Council members' concerns revolve around whether minority workers are adequately and fairly represented in the construction and rehabbing projects scheduled under Rebuild. They also want to address the level of priority given to facilities in long-neglected, low-income, minority communities —

particularly when compared to projects that are not in dire need or that have not long been in the pipeline to receive improvements.

“We have the opportunity to use this initiative to really address poverty in the city,” said Green.

The color of labor

In 2011, former Mayor Michael Nutter signed an agreement in the form of an executive order to use union labor for city projects exceeding \$5 million. As part of that agreement, the Building Trades Council set goals to include a higher amount of local, minority and female participation on city projects.

Said Nutter in a previous Tribune report, “Fifty percent of the hours for those jobs must be set aside for Philadelphia residents. At least 32 percent of those are for minority males and 7 percent for women.”

Years later, Council members say construction sites remain overwhelmingly white and male dominated.

During the Tribune meeting, the lawmakers ticked off examples of construction sites where no workers of color were on duty or numerous parked vehicles bearing New Jersey and Delaware license plates were spotted.

Kenney, who has set a goal of 40 percent minority and female participation in Rebuild, plans to pursue a broader Project Labor Agreement with the Building Trades Council. He says it would set new standards for diversity and inclusion.

However, Council members note that minority workers have traditionally been underrepresented in the region’s various trade unions. Such workers are better represented by — and are far more likely to come out of — such entities as the city’s Career and Technical Education high schools and programs like PowerCorps, which haven’t always resulted in a spot in unions for those graduates.

Jones acknowledges that with previous projects, the city has focused on making sure the building goes up first and looks at the numbers and racial and local representation later.

“We have to be monitoring this every step of the way,” he said.

Bass pointed to a lack of funding to provide the staff needed to inspect construction sites. Her colleagues noted cumbersome state regulations that hinder enforcing accountability on minority goals.

But Quiñones-Sanchez says that Council members have not always used the power of their positions to hold contractors accountable to the diversity and inclusion that those contractors initially vowed to implement, saying, “We have not used our hammer.”

The Council can suspend a contractor from bidding on city projects for up to three years in a process known as debarment. The current Council has used debarment only once in her district, Quiñones-Sanchez’s said.

To address such concerns, Bass says that she has formed the 8th District Rebuild Community Engagement Committee, to be led by community organizations and volunteers. Its members will work with the councilwoman to select Rebuild sites and advise Rebuild staff on workforce diversity.

“By placing Philadelphians front and center in the decision-making process, this committee will make certain that Rebuild projects in the 8th District reflect community needs, priorities and, most importantly, diversity,” Bass stated later in a news release.

Quiñones-Sanchez, in last week's meeting with the Tribune, echoed those sentiments.

"Our job is to get a workforce that looks like us," she said.

What and where to Rebuild

According to Nicole Westerman, executive director of Rebuild, the initiative aims to address the needs of 150 to 200 sites over the seven-year effort.

Quiñones-Sanchez, however, stressed that different districts had different needs.

"We don't want *them* to determine what is *my* priority," she said.

Days after the Council members' meeting with the Tribune, the city administration held a briefing on Rebuild. There, Westerman described how the Rebuild team is currently working on the site selection process. She herself cited the example of how children played basketball in their winter coats at a recreation center in the Mantua neighborhood due to a broken boiler, while children at another site had to open windows because the boiler produced too much heat.

"What we have asked each Council member to do is let us know what their top priorities are," Westerman said.

Rebuild will then compare the lists from City Council members to its database of sites in need of repair.

"The physical needs and the needs of neighborhoods is definitely not equal in every district," she said.

Westerman said Rebuild is seeking its own version of an economic opportunity plan committee to help connect workers to job sites and women and minority contractors to Rebuild projects. The Mayor's Office has also promoted an apprenticeship program to help residents get the necessary training for contracting jobs.

Westerman also said there would be an anonymous tip line available for people to share their concerns about Rebuild construction.

David Gould, deputy director of community engagement and communications for Rebuild, said the mayor's initiative would seek companies to act as third-party monitors at Rebuild sites.

"These firms will go out to work sites to see firsthand if diversity goals are being met, and then report directly back to the City," he said.

With City Council uniting on the beverage tax, the Mayor's Office indicated it was hopeful in passing Rebuild.

The sugary beverage tax, which imposes a 1.5-cents-an-ounce fee, is facing a lawsuit by the American Beverage Association, local retailers and soda distributors who allege the levy is illegal. The group filed an appeal after a Philadelphia Court of Common Pleas judge dismissed the case in December.

The Commonwealth Court will hear verbal arguments in the case on April 5, but Gould said it was likely the case would reach the State Supreme Court for a final ruling.

Said Gould in an email, "As long as the tax holds up in court, we fully expect Rebuild to become a reality and look forward to working with Council to make that happen."

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