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with impact**

Voices of Industry: A Paradigm Shift in CBAs

Supporting apprenticeship and workforce diversity
through community benefit agreements (CBAs)





About Buy Social Canada

Every purchase has an economic, environmental, social and cultural impact, whether intended or not. The collective effort of leveraging social value from purchasing has a powerful and positive ripple effect on our communities.

Buy Social Canada's social enterprise purpose is to educate, advocate and engage social suppliers and purchasers from across governments, institutions, and corporations, to advance social procurement and community benefit agreement policies and practices to help build healthy communities.

Buy Social Canada's expertise and experience extend across consulting, policy design, tool and resource development and training and workshops, always with a focus on utilizing local community assets, ensuring knowledge transfer and local capacity building.

Buy Social Canada's team has been actively engaged in and focused on social purchasing and Community Benefit Agreements (CBA) research, policy development, implementation, and measurement for over 15 years. Buy Social Canada has been collecting, analyzing, and applying best practices in multiple jurisdictions, various socio-economic environments, and rural and urban market municipalities. Buy Social Canada was contracted by the City of Vancouver to develop the tools and implementation framework for the City of Vancouver's Community Benefit Agreement Policy and is currently the Independent Third-Party Monitor for the first two projects to implement the CBA Policy. Buy Social Canada is a delivery partner in the British Columbia Social Procurement Initiative (BCSPI), working with over 30 municipalities across British Columbia to explore and implement social procurement and Community Benefit Agreements.



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Buy Social Canada would like to acknowledge and thank the stakeholders who took part in key stakeholder interviews and case study interviews for sharing their time, experience and expertise, a list of stakeholders interviewed for this research is available in Appendix A. Stakeholder interviews for this research were coordinated by Mariana Jiminez Ojeda and Garrett Melee and conducted by Anna Bubel (Another Way).

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These CBA goals leverage project-related hiring and procurement activities to achieve positive social value outcomes

Executive Summary

The process of implementing social procurement in construction and infrastructure projects is often undertaken via a Community Benefit Agreement (CBA). CBAs come in a variety of models and forms, from legally binding agreements to informal commitments to deliver an agreed upon social value outcome. The identified outcomes generally fall into four areas a) targeted employment, b) training and apprenticeships, c) inclusion of social value suppliers¹ as subcontractors and in the supply chain, and d) community development. These CBA goals leverage project-related hiring and procurement activities to achieve positive social value outcomes and contribute to governmental and organizational strategic goals, including poverty reduction through good jobs, community resilience through enhanced local businesses, and corporate social responsibility through achieving environmental, social and governance priorities.

There are a variety of possible social outcomes that social procurement and CBAs can strive to achieve, including the building of cultural diversity, social inclusion, a living and fair wage for employees, access to skills building learning, training and apprenticeship opportunities. The specific goals vary across projects, dependent on specific opportunities, geography, local resources, and the prevailing public policy goals and requirements.

CBAs have seen a variety of construction industry responses, including an initial sector pushback to perceived issues of added costs and implementation inefficiencies. At the same time, segments of the construction industry welcomed CBAs as a means for engaging with community issues, improved project planning, and addressing industry needs to meet skilled labour demand.

As the number of social procurement practices and CBAs increase, the shared and common language and learning also evolves across government policy and construction sector practices. We may be witnessing an evolution of positive positions and attitudes of the construction sector regarding CBAs. Evidence of shifting positions is based on recent events, including a 2021 webinar by the Edmonton Construction Association

¹ A business that through its business practices and/or social, environmental or cultural mission, contributes towards a social, environmental or cultural objective. Examples include social enterprises, co-operatives, diverse-owned businesses.

on community benefits², the inclusion of the Guide to Social Value in Construction in the Manitoba Trades Assoc. fall 2021 magazine³, the increase of municipal-driven community benefit policies (Vancouver 2018, and Toronto 2019), and growing experience debunking some of the perceived negative issues.

“Canada's Building Trades Unions strongly advocate for the inclusion of Community Benefits Agreements (CBAs) or Workforce Development Agreements (WDAs) in federally procured construction projects. CBAs enable the value of a project to extend far beyond the building of infrastructure. They create pathways to apprenticeship for those in the communities where infrastructure is built, including opportunities for underrepresented groups, and building the skilled trades workforce.”⁴ – Canadas Building Trades Unions, Community Benefits Agreements, 2022

An additional shift created by the increase in the number of social procurement practices and CBAs is the shift from a supply-focused model e.g. social enterprises, non-profits and other agencies trying to identify opportunities for individuals from equity-seeking groups, to a demand-based model, whereby community benefits agreements are leveraged as one tool help meet the demand of the construction sector, and meet social objectives of meaningful, well-paid apprenticeship and employment opportunities for a more diverse range of individuals.

2 <https://www.endpovertyedmonton.ca/news/the-social-procurement-opportunity>

3 https://www.manitobabuildingtrades-digital.com/mbta/0021_annual_2021/MobilePagedArticle.action?articleId=1723288#articleId1723288

4 <https://buildingtrades.ca/wp-content/uploads/2022/02/CBA-Report.pdf>

Purchasers show preference to social value suppliers if value and cost of goods and services are competitive with other suppliers.

Social Value Suppliers agree to social and economic objectives and create employment opportunities in the community.



Diagram showing the connection between demand and supply opportunities

CBA's are increasing and emerging across Canada and internationally over the past 10 years. But the numbers still remain small across Canada. Despite the recent increase, given the relatively short time frame and a lack of comprehensive monitoring and reporting requirements, the amount of data available on such projects is currently limited. 3 such examples of CBA's explored in this research report are the City of Vancouver's CBA Policy (passed in 2018, first project triggering the policy broke ground in 2021), The Metrolinx CBA projects (first project began in 2011 but a lack of clear monitoring and reporting requirements has reduced the scope of data available), and Infrastructure Canada's Community Employment Benefit Initiative, a model introduced in 2018 but that some say "*has seen little use.*"⁵

This research project focuses specifically on whether CBA's can serve as a potential means to support apprenticeships and construction workforce diversity opportunities, exploring the views that are supportive of, neutral on and against CBA's, and the reasons why. Is the initial industry hesitancy to embrace CBA's as part of a labour solution a real or a perceived

5 <https://buildingtrades.ca/wp-content/uploads/2022/02/CBA-Report.pdf>

issue? Are there risk and design options that mitigate negative outcomes and maximize the potential labour market opportunities? Will resistance to CBAs hinder their potential impact? Or can improved CBA models, increased familiarity, and better practices offer opportunities to support diversifying trades employment and increasing apprenticeships?

Key takeaways from the review of current policy analysis, literature review and stakeholder interviews:

- There is an evolution of knowledge and acceptance of CBAs across sectors
- The majority of respondents see CBAs as a potential solution to addressing labour market pressures through apprenticeships and employment opportunities
- There are various and nuanced definitions and understanding of CBAs
- As an emerging trend there is a need to increase research as implementation increases
- If targets are to be set they need to appropriately recognize the local capacity and project needs—matching supply and demand
- A successful CBA requires communication, co-creation and collaboration between key stakeholders in the design, implementation, monitoring and reporting processes

A high proportion of the stakeholders approached for this research study were willing to take part and expressed an interest in the topic of this research. This, accompanied by the growing number of policy and literature examples suggests both an increasing interest in CBAs and in policies and projects utilizing CBAs to contribute to community goals including increased workforce and apprenticeship diversity. However, much of the research and insights on current CBA projects to date remain anecdotal. This is due in part to a lack of systemic target setting and access to reporting and measurement tools.

This research study, including opportunities to remain up to date with Canadian and international trends and best practices, engaging stakeholders from a range of sectors, and identifying opportunities as well

as challenges to address, is the type of activity which should continue to be enhanced. As this bank of knowledge and experience increases, creating spaces for convening and collaboration to build on education and knowledge-sharing opportunities is encouraged and will continue to contribute to the growing interest in and understanding of CBAs which, based on the findings of this research, appears to be evolving across sectors and communities in Canada and internationally.



An Introduction to Social Procurement and Community Benefit Agreements

Social Procurement

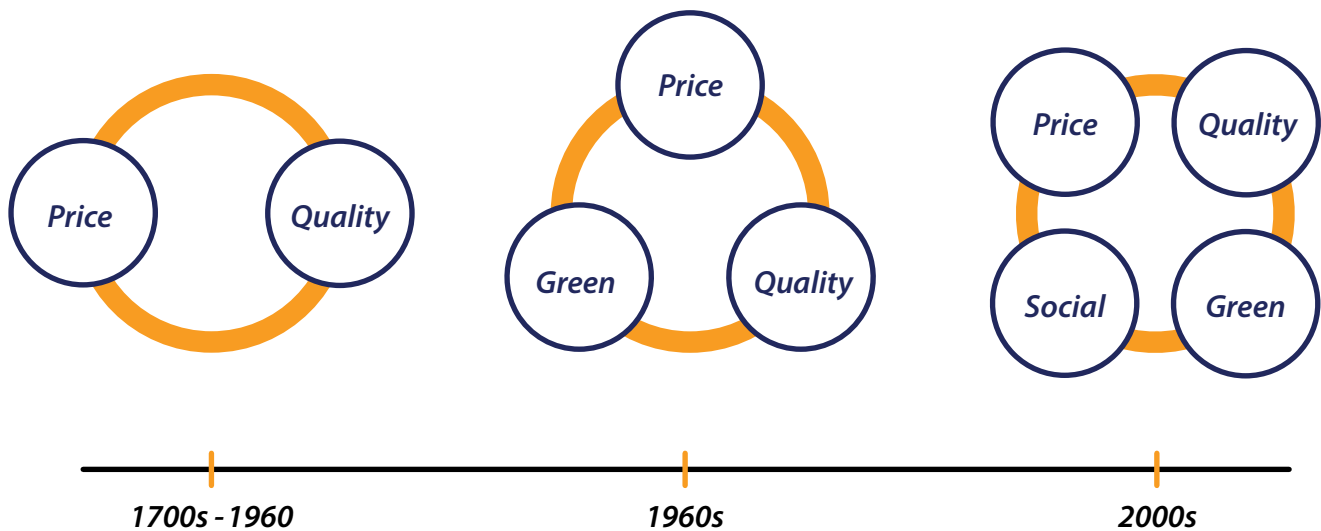
Every purchase has a social, economic, and environmental impact. Social procurement intentionally leverages a social value from existing purchasing of goods, services, construction projects and infrastructure investments. Social procurement is evolving as a valuable policy implementation tool for governments to achieve their social goals. *“As the largest public buyer of goods and services, the Government of Canada can use its purchasing power for the greater good. We are using our purchasing power to contribute to socio-economic benefits for Canadians, increase competition in our procurements and foster innovation in Canada.”* Public Services and Procurement Canada.¹

Social procurement takes place by including a social value component, along with technical needs, environmental impact, and price, into the purchasing process of seeking bids and contracting for outcomes.

Social procurement takes place by including a social value component, along with technical needs, environmental impact, and price, into the purchasing process of seeking bids and contracting for outcomes. Social procurement is dramatically changing the traditional culture and practice of procurement procedures. As is true with most changes, there is a range of responses from enthusiastic support for change, to acceptance to what is obviously an evolving situation, to resistance to changing the traditional ways. When procurement moved from only considering price and quality to including green it took time to adjust. Now with the addition of social factors in purchasing and contracting, another wave of change is happening. In 2016 when then MP Hussen introduced Bill C-277 and then in 2018 when a similar Bill, Bill C-344 was introduced by MP Sangha, several known construction groups were firmly opposed. However, findings of this research indicate that this resistance may be moving to acceptance, and in some parts of the construction industry, leadership in the social procurement realm. While views against social procurement remain, as evidenced in this research, they are increasingly nuanced with specific reasons for resistance that provide opportunities

¹ <https://www.tpsgc-pwgsc.gc.ca/app-acq/ma-bb/posacfi-asegicfi-eng.html>

to address concerns. Within the research conducted they also appear to be a minority view across sectors and industries.



Evolution of Selection Criteria in Procurement Practices

COMMUNITY BENEFIT AGREEMENTS

The process of implementing social procurement in construction and infrastructure projects is often undertaken via a Community Benefit Agreement (CBA). CBAs come in a variety of models and forms, from legally binding agreements to informal commitments to deliver an agreed-upon social value outcome. The identified outcomes generally fall into four areas; a) targeted employment, b) training and apprenticeships, c) inclusion of social value suppliers² as subcontractors and in the supply chain, and d) community development. These CBA goals leverage project-related hiring and procurement activities to achieve positive social value outcomes and contribute to governmental and organizational strategic goals, including poverty reduction through good jobs, community resilience through enhanced local businesses, and corporate social responsibility through achieving environmental, social and governance priorities.

² A business that through its business practices and/or social, environmental or cultural mission, contributes towards a social, environmental or cultural objective. Examples include social enterprises, co-operatives, diverse-owned businesses.

There are a variety of possible social outcomes that social procurement and CBAs can strive to achieve, including the building of cultural diversity, social inclusion, a living and fair wage for employees, access to skills building, learning, training and apprenticeship opportunities. The specific goals vary across projects, dependent on specific opportunities, geography, local resources, and the prevailing public policy goals and requirements.

CBAs have seen a variety of construction industry responses, including an initial sector pushback to perceived issues of added costs and implementation inefficiencies. At the same time, segments of the construction industry welcomed CBAs as a means for engaging with community issues, improved project planning, and addressing industry needs to meet skilled labour demand.

Discussions with members of the construction industry indicate that historically there were attempts to incorporate community value outcomes through employment and apprenticeship schemes, but these early models were often not mutually designed, and often required post contract ‘add-ons,’ like inappropriate requests for community amenities or demands for non-supportive training positions. As mentioned above, this history and experience of what were poorly designed or non-collaborative projects couched as ‘community benefits’ created doubt and wariness in the construction sector when the dialogue on social procurement emerged over the past 10 years.

To understand and assess the current situation and conditions of CBAs, this research includes a policy and literature review of CBAs in Canada and internationally, stakeholder interviews with a diverse range of groups (e.g., construction sector, government, social enterprises in the construction sector, and intermediaries in Canada), and three case studies of Community Benefit Agreements in three different geographic areas, each using different policy driver and implementation models.

This research project specifically focuses on whether CBAs can serve as a potential means to support apprenticeships and construction workforce diversity opportunities, exploring the views that are supportive of, neutral on and against CBAs and the reasons why. Is the initial industry hesitancy to embrace CBAs as part of a labour solution a real or a perceived issue? Are there risk and design options that mitigate negative

outcomes and maximize the potential labour market opportunities? Will resistance to CBAs hinder their potential impact? Or can improved CBA models, increased familiarity, and better practices offer opportunities to support diversifying trades employment and increasing apprenticeships?



CBA's are a potential evolution in the industry, a means of recognizing and implementing social value outcomes, and an added component across the traditional model of defining the contract outcomes in construction or infrastructure projects.

Summary of Research: Key Findings

An Evolution of Perspectives Across Sectors

Although a relatively new concept emerging over the past decade, the number of projects with formal and informal, required, and voluntary CBAs are increasing across Canada and internationally.

For many years there have been Indigenous Benefit Agreements, primarily site and project-specific agreements arising from the resource extraction industries working within traditional Indigenous lands. The construction industry has also seen a “greening” with champions’ efforts in the 1980s and ‘90s resulting in a now common practice and a competitive positioning in the marketplace. CBAs are a potential evolution in the industry, a means of recognizing and implementing social value outcomes, and an added component across the traditional model of defining the contract outcomes in construction or infrastructure projects. As often happens with potential new policy frameworks when they are explored and implemented there is a diverse range of opinions about CBAs; some supportive of, some neutral on, and some against them.

This evolution and range is explored in the policy and literature review which aims to provide an overview of the landscape of CBAs in Canada and internationally, including the diverse range of implementation models, including federal Community Employment Benefit (CEB) requirements through Infrastructure Canada, provincial infrastructure benefits model (e.g. British Columbia and Ontario) and municipal initiatives such as the City of Vancouver. Three of these examples are explored further in the form of case studies: the City of Vancouver’s CBA policy, the Metrolinx projects in Ontario and the Comox Valley Regional District implementation of the Federal CEB initiative.

As the number of social procurement practices and CBAs increase, the shared and common language and learning also evolves across government policy and construction sector practices. We may be witnessing an evolution of positive positions and attitudes of the construction sector regarding CBAs. Evidence of shifting positions is based on recent events, including a

2021 webinar by the Edmonton Construction Association on community benefits,¹ the inclusion of the Guide to Social Value in Construction in the Manitoba Trades Association fall 2021 magazine,² the increase of municipal-driven community benefit policies (Vancouver 2018, and Toronto 2019), and growing experience debunking some of the perceived negative issues as expressed in the Comox Valley case study below.

This evolving perspective is also supported by the findings of the Key Stakeholder interviews where the majority of respondents expressed significant support for CBAs as a tool to advance apprenticeship and workforce diversity. This support was often qualified by expressions of frustration or dissatisfaction with current approaches including issues around quotas not recognizing the realities of different contexts i.e. the size of project, reality of number and type of new hires and the capacity of the local community (although it is also noted that support was expressed for firm targets as an accountability tool), and a disconnect or lack of relationships between the construction sector (used broadly here to include general contractors, subcontractors, trades and unions) and the organizations and individuals who could help to meet the CBA targets set.

The ability to identify specific issues was indicative of an increase in the experience of implementing CBAs across sectors, and a shift from “*against*” CBA towards neutral to, or in support of, with a willingness to discuss current challenges and opportunities for improvement. While not unanimous, it is reflective of the overwhelming majority of respondents and reflective of the policy and literature review with more recent research such as that by Cardus reflecting a similar sector shift.

1 <https://www.endpovertyedmonton.ca/news/the-social-procurement-opportunity>

2 https://www.manitobabuildingtrades-digital.com/mbta/0021_annual_2021/MobilePagedArticle.action?articleId=1723288#articleId1723288

A Potential Solution to Addressing Labour Market Pressures

Wherever groups fall on the continuum of views, across all the differences and diverse opinions, a common ‘problem’ is shared across the construction industry, reflected in the words of Tim Coldwell, CEO of Chandos Construction: *“Our industry has a huge problem, we are currently short 200,000 skilled workers, and 46% of our current labour force will retire in the next 10 years.”* Simultaneously governments attempt to address a substantial social challenge, the unemployment and underemployment rates of youth, new immigrants, and others facing barriers to employment that are under-represented in the construction industry such as women.

Across the research there is an emerging common view or shared value, that CBAs, if done well, could be a tool to address this labour market crisis in the construction sector by supporting apprenticeships and diversifying the work force.

As the Atkinson CBA Report notes, *“Ontario has a tremendous opportunity to make progress on social and policy goals by improving its procurement policies. By requiring community benefits as part of certain government spending, it is possible to increase the impact of those dollars.”*³ The Cardus Report adds, *“This survey of CBAs points to the tantalizing potential of a good idea... however, that there is much work to be done if CBAs are to truly achieve their promise.”*⁴

Various Definitions of Understanding of CBAs

In the stakeholder interviews, and the policy and literature review, there are sometimes seemingly diametrically opposed opinions expressed of CBAs. These may be surmised as being due to:

- Diverse definitions of CBA
- Lack of consistency in government policies on CBAs
- Lack of shared knowledge of policies and practices
- Various ‘perceptions’ of “*what is*” a CBA

3 https://img1.wsimg.com/blobby/go/155a0c21-72da-4b9c-bddb-4e2a3a316ead/downloads/Atkinson_CBSummary_FA-1-2.pdf?ver=1632423831411

4 <https://www.cardus.ca/research/work-economics/reports/community-benefits-agreements-toward-a-fair-open-and-inclusive-framework-for-canada/>

- Differing experiences implementing CBAs
- Geographic differences of policies
- Ambiguity resulting from policy variations that may trigger a CBA
- Differences and lack of clarity in expected or required social value outcomes
- Lack of implementation resources and tools
- Lack of common metrics and reporting models
- Variety of roles and expectations from key stakeholders: unions, community organizations, general contractors, owners, and governments
- Bad experiences, bias, and pre-conceived perspectives on how CBAs are implemented

Further analysis of these reasons can be found throughout the policy and literature review, key stakeholder interviews, and case studies.

The Research and Experience Gap

The range of literature on CBAs currently available in Canada and internationally includes research reports, definitions, mapping, and commentary around CBAs, as well as successes, challenges, and further opportunities. The early and significant academic research on social value in construction focuses on job creation, training, and apprenticeships, especially with innovations and studies based on the Australian experience.⁵

However, a research and experience gap has been recognized by many in the sector, and particularly in the work of Dr. Daniella Troje of Sweden, *“But knowledge of how to practically implement social procurement policies is lacking in many countries, the practices that do exist are underdeveloped, social procurement is often seen as unfamiliar and complex by actors in the sector, and in general, social procurement is still relatively unexamined conceptually, theoretically and empirically both in research and in practice.”*⁶

5 Examples: See listings of Martin Loosemore and Jo Barakat in literature review below, pages 17-18.

6 Troje, D. Policy in Practice: Social Procurement Policies in the Swedish Construction Sector. *Sustainability* 2021, 13, 7621. <https://doi.org/10.3390/su13147621>

There is confirmation of this view from recent research conducted by Cardus that stated: “*from the perspective of the builders’ community, the concept of community benefits agreements (CBAs)—an often poorly understood and ill-defined concept that is gaining prominence in Canada and other Western democracies.*”⁷

Despite this knowledge and experience gap, the findings of this policy and literature review, and key stakeholder interviews, suggest that there has been an evolution of the understanding and knowledge of CBAs, with more examples of CBA projects comes more examples and experience of opportunities, barriers and challenges. This research project attempts to survey the range of perspectives, exploring the current state of opportunities and challenges that CBAs offer to support apprenticeship and workforce diversity and the range of perspectives of how and why CBAs should or should not continue to evolve to further support apprenticeship and workforce diversity.

Within the construction industry, even within the key stakeholder groups, there are a variety of perspectives on CBAs ranging from advocating for CBAs publicly e.g., in Federal Government pre-budget submissions, to opposition to CBAs. The divergence of perspectives is expressed throughout the literature review, the diversity of policy designs, and more obviously in the report section on the stakeholder interviews. The variety of perspectives shared, which at times may appear to be diametrically opposed, come with the caveat of a range of nuances, which include diverse definitions, various understandings of “*what is*” a CBA and the differing experience of implementing CBAs which has been impacted by geographic differences of policies and the role key stakeholders such as unions and community organizations. These nuances are captured and expanded upon further in the key stakeholder interview summaries. Twenty-five organizations from across Canada were interviewed to capture the range of experiences with, and opinions of CBAs. This research suggests that within these organizations there is significant support for CBAs as a tool to advance apprenticeship and workforce diversity. Although there is not unanimous agreement on this position, many interviewees believed that CBAs can be effective tools for leveraging infrastructure spending to achieve social and economic outcomes. Notwithstanding this support, current approaches need fine-tuning and coordination to better reflect local capacities and priorities.

⁷ <https://www.cardus.ca/research/work-economics/reports/community-benefits-agreements-toward-a-fair-open-and-inclusive-framework-for-canada/>

Setting Targets Appropriate to Supply and Demand

Opinions on quotas or targets (often used interchangeably in responses) varied across stakeholders interviewed for this research, and a variety of approaches are currently being implemented. This is highlighted by the 3 different approaches to targets in the case studies chosen for this research study. Approaches vary from a no-hard-targets approach, to requiring communities to set appropriate targets, setting hard targets with “best” or “reasonable” effort requirements, and setting hard targets using a number or percentage. While some respondents felt that clear targets provided an accountability mechanism, others felt that they were a burdensome and unhelpful “stick” which did not bend or flex to recognize the differing needs or capacity of communities i.e. the capacities and needs of small, rural communities is different to high-density urban centres, and the workforce opportunities on renovating a two-story building are different to building a hospital, but some current approaches do not recognize this nuance.

“The last one had a requirement for a percentage of First Nations-owned businesses. We couldn’t find enough to cover it off. Not saying they don’t exist, but we couldn’t identify ones that were a best fit with our corporate culture, safety requirements, and the needs of the project. There was a 100% desire to do it, but it was hard to meet the expectation. How can you mandate targets when there is a lack of supply?” (Construction Association)

The majority opinion of interviewees can be summarized as such: targets provide a useful mechanism for accountability, while nuance and the ability to be flexible based on local capacity and project needs is crucial to the success of a CBA. The one opinion in the key stakeholder interviews opposed to CBAs expressed this view based largely on an opposition to strict and prescriptive quotas, this nuance could offer an interesting opportunity for further discussion based on the reality of a variety of different quota and target setting approaches.

Communication, Co-creation and Collaboration

A consistently shared opinion throughout the literature and key stakeholder interviews is that successful CBAs require early and open communication across stakeholder groups, and an approach of co-creation and collaboration in the design, implementation and reporting.

Many key stakeholders interviewed shared the opinion that a successful CBA resulting in workforce and apprenticeship opportunities for diverse groups requires expertise and experience not held by one single stakeholder. In the construction sector, general contractors, sub-contractors and unions offer their expertise by bringing an understanding of project needs and workforce capacity requirements, employment and training groups including social enterprises in the construction sector, offer the skills and experience of preparing individuals and organizations to meet the project and workforce needs, many additionally providing “*wrap-around*” supports such as access to childcare, uniforms and equipment or other as needed supports, and the community, including community benefits networks, and other intermediaries bring the understanding of local community needs and capacity, and is the voice needed for a CBA to truly incorporate the community.

Examples of opportunities shared included working with community benefits networks, internal trades experts and other intermediaries to convene during the design of a CBA and connect stakeholders during implementation. Barriers and challenges raised included the current lack of a consistent convening and co-creation process and the differing capabilities and capacities found in different geographic regions, some of which have robust and mature community benefits networks, with others yet to develop this infrastructure.

Conclusions

The above summaries are key highlights pulled from the policy and literature review and from key stakeholder interviews conducted in the course of this research. The following sections expand on each of these points more fully, including direct quotes from interviewees. Additionally, the three case studies in Section 1 of this report were chosen to expand on specific opportunities and challenges raised across the policy and literature, and by stakeholders in the sector. This includes the benefits and challenges of setting fixed, consistent and hard targets such as the City of Vancouver's CBA Policy, the differing approach of the federal CEB Initiative (under Infrastructure Canada) which invites communities to identify their own targets based on local needs and capacities, the development of key tools such as projection tools to help identify opportunities earlier in the process, and the development of training programs that aim to address the skills gaps identified by the construction sector.

A high proportion of the stakeholders approached for this research study were willing to take part and expressed an interest in the topic of this research. This, accompanied by the growing number of policy and literature examples suggests both an increasing interest in CBAs and in policies and projects utilizing CBAs to contribute to community goals including increased workforce and apprenticeship diversity. However, much of the research and insights on current CBA projects to date remain anecdotal. This is due in part to a lack of systemic target setting and access to reporting and measurement tools.

This research study, including opportunities to remain up to date with Canadian and international trends and best practices, engaging stakeholders from a range of sectors, and identifying opportunities as well as challenges to address, is the type of activity which should continue to be enhanced. As this bank of knowledge and experience increases, creating spaces for convening and collaboration to build on education and knowledge-sharing opportunities is encouraged and will continue to contribute to the growing interest in and understanding of CBAs which, based on the findings of this research, appears to be evolving across sectors and communities in Canada and internationally.



SECTION 1:
CASE STUDIES

SECTION 2:
KEY INFORMANT INTERVIEWS

SECTION 3:
POLICY & LITERATURE REVIEW





Section 1: Case Studies

Case Study 1: City of Vancouver CBA Policy

POLICY OVERVIEW

Vancouver was the first major city in Canada to introduce a formal CBA policy, following community benefit frameworks introduced at the federal and provincial levels in 2018. After being tested on pilots, the City’s CBA Policy passed in October 2018.

Alisha Masongsong, Social Planner at the City of Vancouver, defines the City’s CBA as a negotiated agreement between the Municipal government, developer and/or general contractor, and the community where the development project is being placed. When designing the CBA policy, they tried to “*think about the most local areas being impacted, and then how it impacts the municipality more broadly.*”

Projects that have a Community Benefit Agreement under the Vancouver CBA Policy must demonstrate best efforts in meeting the following:

- Local, inclusive employment: Making 10% of new entry level jobs available to people in Vancouver first, specifically those who are equity-seeking (referred to in the policy as first source hiring)
- Social procurement: Procuring a minimum of 10% of material goods and services from third party certified social impact and/or equity seeking businesses, with a priority on Vancouver businesses
- Local procurement: Attaining 10% procurement of materials, goods and services from Vancouver companies or companies located in Metro Vancouver or British Columbia. These may or may not also be equity-seeking third party certified businesses

There are no separate targets or accountability measures for apprenticeship opportunities. However, apprenticeships are recognized as an “*employment*” type under the 10% employment target, so organizations subject to the CBA targets are required to project on anticipated apprenticeship opportunities when projecting employment opportunities and in reporting.

There are no separate targets or accountability measures for apprenticeship opportunities. However, apprenticeships are recognized as an “*employment*” type under the 10% employment target...



The CBA is triggered on redevelopments over 45,000 square metres of floor space. Targets are applied to the pre-build, build, and operations phases of the development project, and the City leverages all its licensing and permitting measures to hold contractors accountable.

POLICY OUTCOMES

One of the early pilots for the CBA policy was Parq Casino, a large development in Downtown Vancouver that contains a casino, salons, restaurants, entertainment, bars, patios, and hotels all under one roof. Construction began in 2014, and the space opened in 2017.

Jeff Waters worked for General Contractor Ellis Don as Integration Coordinator during the project. His role was to support the CBA on the project internally, and act as a community liaison—making connections between the trades and social enterprises. He was also responsible for project tracking, and making sure Ellis Don was on track to meet or surpass all targets.

While Jeff acknowledges there were some real challenges for implementation in this pilot project, he also believes it was “*tremendously successful*,” and that “*the impacts we had weren’t possible without a CBA.*” Targets for the project were met in all cases and surpassed in most.

Early successes have been seen at New St. Paul’s Hospital, which broke ground in Spring 2021. New St. Paul’s is the first CBA to be triggered under the official policy. This is a major development, situated close to Vancouver’s Chinatown and the Downtown Eastside—Canada’s poorest postal code.

To date, two staff members on site who were placed by employment social enterprise EMBERS Staffing Solutions have been hired in full-time permanent roles by PCL Construction, the general contractor. Marcia Nozick, CEO of EMBERS, shares that they often encounter prejudice against target hiring for CBAs in the trades, but that their staff on site at New St. Paul’s have been well received and have done a lot to remove that stigma through their hard work and great attitudes.

BENEFITS AND OPPORTUNITIES

Addressing workforce/labour market pressures

“Someone who is hardworking and wants to be trained is incredibly valuable” – Jeff Waters, Parq Project Integration Coordinator

A key opportunity identified by contractors from both the Parq Casino and New St. Paul’s developments is that CBAs can help address the workforce demand in the construction sector.

Sarah Kresak from PCL Construction emphasized that increased workforce diversity is one path to build up the workforce and make that workforce more impactful. *“The more voices in the room, the more you learn, the more well-rounded a builder you are,”* she believes.

Douglas Aason, Director of Recruitment and Accounts at EMBERS, also sees many benefits for employers as they can help to develop and upskill the workforce. He’s seen many developers and sub-contractors hire people during or after CBA projects, and the relationships built between construction companies and employment support organizations such as EMBERS are maintained after the project ends, benefiting community members even after the CBA has ended.

Benefits to community

The benefits for the community are significant. The City of Vancouver feels that the CBA delivers meaningful employment that is accessible to the community and is a tool to be able to improve workforce development, training, apprenticeships, and employment support groups. Workforce development and support also have knock on effects in reducing poverty and increasing health.

Developers agree. Sarah Kresak, the Workforce Coordinator at PCL Construction, believes the New St. Paul’s CBA is *“creating a future in that community, it’s going to revitalize the community.”*

Marcia Nozick of EMBERS also says that the specific focus on community benefit allows for more supportive employment that addresses barriers to employment that many community members face.

“People are really rough in the construction industry. In a CBA it’s a very different approach, not just easy come easy go. People get second, third chances, and we need that for people of high risk. You need commitment and patience to get there, that’s what the CBA gives you that the commercial world doesn’t.” – Marcia Nozick, EMBERS CEO

One unique benefit of the Vancouver CBA for community is that it has requirements for review and updates built in to the policy. Passing a CBA Policy was already a success in the eyes of community groups and advocates. Although the policy isn’t perfect, it can become more beneficial to community over time, as the culture in the City and amongst the construction industry begins to shift.

Benefits to municipalities

Alisha Masongong shared that there are also many benefits for the municipality. When contractors meet the CBA targets, they are also contributing to strategies and policies the City has already implemented, including the Healthy City Strategy, Vancouver’s City for Reconciliation commitments, and the Downtown Eastside Community Economic Development Strategy.

Alisha also sees the CBA creating better relationships between the development industries, government and community, and between municipal and first nations governments on whose lands developments take place. Further, Alisha sees the benefit of having levers in place to negotiate what the City and community needs when working with developers on large projects.

CHALLENGES

Lack of industry context

“Expectations on CBAs don’t always take into account the reality of what’s possible for the General Contractor.” – Sarah Kresak, PCL

One key challenge raised by the construction sector is that the policy sometimes fails to understand the context or constraints faced in their industry.

For one, achieving compliance with the CBA targets puts a lot of extra work on the General Contractor, since the CBA is with them and not their sub-contractors, yet sub-contractors tend to do 80% of the hiring on site. Sarah adds that getting buy-in from all the sub-contractors has been a challenge at New St. Paul's. She says they automatically see the targets as an impossible goal to meet and are not generally aware that the policy only requires best efforts. Changing this perspective requires time and resources from the General Contractor. Other sub-contractors fail to meet hiring targets because the unions they get employees from are not willing to accommodate CBA requests. Sarah has heard unions come back saying *“we dispatch who we want to, you can't dictate that.”*

Although CBAs can help to address the labour market pressures over time, the lack of available workers means that construction companies are all competing to hire the same people. On top of that, there is stigma about what it means to work in the trades, as well as very real cultural issues in construction relating to the treatment of women, people of colour, trans people, and other equity-deserving persons, which all go together to limit workforce availability.

Ultimately, says Marcia, the success of the CBA depends on what the developer is willing to do. *“They could just hire low-level workers to meet metrics,”* she adds, *“patience and skill-building is an extra commitment on top.”*

Increased reporting requirements

The Construction sector is also wary of increased reporting demands. People acknowledge that it is necessary and can help with accountability and sharing successes to the community, but what level of scrutiny and detail should be required is less easily agreed upon. Additionally, some of the best success stories can't be adequately captured in the reporting process.

Jeff Waters, Integration Coordinator for Ellis Don on the Parq Casino project, shared an example of a roughly \$5000 contract they awarded to CleanStart BC, a social enterprise which creates employment opportunities for people with barriers to employment and offers junk removal, cleaning and sanitation, and pest control services. Although the contract

was small and didn't make a big impact on Ellis Don's ability to meet their social procurement target for the project, the contract made a *"massive difference to the business"* and their ability to hire barriered individuals, Jeff says. *"These stories don't show up well in reporting."*

Community members and representatives from the trades also worry that measurement of success will be the same for every CBA in Vancouver—regardless of differences in project scale or scope and any pre-existing contractual obligations held by the owners. This makes it easier to apply and manage from the municipality's perspective, but has its limits in terms of flexibility from project to project, or targeted community benefits throughout the city.

LESSONS LEARNED

Strong targets with allowance for best efforts

Jeff Waters highlights that the CBA targets and enforcement measures need to be strong enough to compel the general contractor to shift responsibilities down to their sub-contractors, who don't read the agreement but do most of the hiring. That said, Jeff also believes including the opportunity for best efforts is best for the trades and allows for some response to the otherwise inflexible targets.

Jeff also emphasizes that since so many metrics of success and impact can't be captured in the measurement and reporting on targets, it's important to leverage other storytelling opportunities.

Industry liaison role

Marcia and Douglas from EMBERS highlight the importance of a construction sector insider who can be an internal champion and community liaison. They worked with Jeff Waters at Parq and felt that he was critical to the success of that pilot due to the knowledge of and relationships within the project he had. Marcia adds that having a developer insider that knows the trades is different from the role that *"outsider"* third-party monitors play, largely because they can work *"day-by-day in an operational, logistical way."*

Existing gaps in policy

The City is exploring the option of reducing the square footage at which a CBA is triggered in Vancouver, to access more of the Condo and community centre development projects taking place in Vancouver.

Alisha has also added that a current gap to be addressed is the lack of targets for apprenticeships—this is a gap for Vancouver and many other municipalities Alisha is aware of.

Policy is a strength

Alisha shares that having the CBA framework codified and accepted as policy is key for enforcement and success. The policy supports changing culture, since without proper accountability measures, there is a risk that industry will see CBAs as a waste of time and money, not as a determining factor in competitive advantage.

CBAs are a starting point

CBAs are powerful tools for community benefit, but they aren't enough on their own. In addition to a CBA policy, governments need to provide capacity building and wraparound supports to employment agencies and the people they are trying to employ, such as health and wellness services. Alisha argues *“a CBA isn't a tool to make those services better, but it is a tool to advocate for that.”*



Case Study 2: Metrolinx CBA Framework

FRAMEWORK OVERVIEW

Metrolinx, an agency of the Ontario Government, was created to improve the coordination and integration of all modes of transportation in the Greater Toronto and Hamilton Area (GTHA). They are utilizing a CBA ‘to provide opportunities and other benefits to local residents, including equitable hiring practices, training, apprenticeships, local supplier and social procurement opportunities, where possible.’ Metrolinx adopted a CBA Framework at the urging of community-wide advocacy group, Toronto Community Benefit Network (TCBN).

“We see the CBA as a process, allowing community to intervene directly into planning, especially on taxpayer funded projects.” – Rosemarie Powell, Executive Director, TCBN

The CBA framework is currently applied to three light rail projects in the GTHA: Eglinton Crosstown, Finch West and Hurontario LRTs, and have made a commitment to support CBAs on Go Transit projects in the region as well.

Eglinton Crosstown was the first pilot of the CBA framework for Metrolinx. At this stage in construction and development, which began in 2011, Metrolinx no longer considers this to be a pilot. The Eglinton Crosstown LRT project consists of an agreement between Metrolinx and four General Contractors who are collaborating under the umbrella organization Crosslinx Transit Solutions to build an \$8.5 billion transit project.

On the Metrolinx LRT projects, there are aspirational hiring targets: 10% of all trade hours to go to apprentices, and 10% of all trade hours to go to persons from historically disadvantaged and diverse groups. There is also a requirement for professional administrative and technical jobs associated with the project, but no target has been set for those positions.

Outside of hiring, the CBA framework also requires the general contractors to practice social procurement to drive spend to social enterprises and local or minority-owned businesses. There is no target set for this spend. There are also no requirements in the framework for measurement of success delivering on these goals.

PROJECT OUTCOMES

Because measurement is not enforced by the CBA Framework, most evidence of the successes or outcomes from these community benefit agreements are anecdotal. Some individual contractors and community employment groups collect their own data, but information on equity-deserving employees is gathered with voluntary forms and is collected inconsistently across organizations on the three light rail projects.

Despite a lack of consistent measurement and reporting, representatives from general Contractors on Eglinton Crosstown, and from Metrolinx and TCBN, all feel that the CBA framework has been successful as a tool to support apprenticeships and workforce diversity.

“It’s definitely opened more opportunities to people within [the affected] communities. Constructors share information widely, and there are lots of initiatives to share information about the trades and make it accessible. But we can definitely do more.” – Judith Brooks, Manager of Metrolinx Community Benefits Program

Denisa Leiba, Chief People and Administration Officer for Crosslinx Transit Solutions (CTS), the General Contractor on Eglinton Crosstown LRT, agrees that the CBA has been successful in increasing diversity, but adds a caveat that this is only the case because of the extra work by CTS and other constructors.

“The agreement needs to be there, but the agreement itself isn’t why we’re successful.” – Denisa Leiba, CTS.

TCBN has expressed frustration with the Metrolinx CBA framework for its lack of hard targets or enforcement measures and accountability, as well as challenges with reporting and tracking on the projects. Regardless, they have seen significant numbers of equity-deserving persons hired onto projects in the last four years, and Kumsa Baker, Director of Community Benefits Campaigns for TCBN, says that *“physically on jobsites, you can see more Black and brown people working.”*

BENEFITS AND OPPORTUNITIES

Ripple effects

“We’re making our dollars do double duty” – Judith Brooks, Metrolinx

The Ontario Government reaps the rewards of this “*double duty*” spending in the form of positive social and economic impacts including reduced poverty and increased wellbeing, Metrolinx say.

Benefits to community

TCBN has seen massive benefits to communities, especially those who are equity-deserving.

“We’re seeing people getting access to a good career, getting into union jobs with lots of value for workers. With this, people are accessing benefits and pensions, and starting families.” – Kumsa Baker, TCBN

Lots of the projects are happening in communities of colour, and the CBA is bringing them in so that they see themselves invested in and reflected in public investments. The apprenticeship opportunities created by the CBA are also a pathway for growth and can lead to opportunities to build skills to become entrepreneurs or start their own businesses.

Benefits to business

CTS has seen benefits to their company by participating in the CBA—for example winning a diversity award in 2021 to recognize their impact in hiring over 400 people from equity-deserving groups to the project and creating a community network with hundreds of agencies to share education and opportunities with target groups.

Metrolinx has experienced union support of their CBA model, with some unions agreeing to waive fees to promote accessibility and inclusion and providing apprenticeship opportunities on the project. They also see how lives are being changed by this work, persons who have come to these projects through apprenticeships speak about how this has positively impacted their lives and become champions for the trades.

“I cannot foresee that CBAs would ever disadvantage us, they’re a great way to ensure equity and diversity in a typically white male dominated field.” – Judith Brooks, Metrolinx

CHALLENGES AND LESSONS LEARNED

Traditional hiring process is insufficient

Denisa Leiba from Crosslinx Transit Solutions shared that the traditional hiring process is a barrier to achieving the goals of a CBA. With a traditional applicant tracking system, the purpose is to be “*blind to identity*,” and not to filter applicants based on their demographics. In the case of targeted hiring for workforce diversity, this doesn’t work. It’s therefore important that HR leads have an understanding of what they are trying to achieve with hiring and are supported to do supplemental outreach.

Lack of context about unions and construction sector

There is also a lack of understanding about unions and their processes outside the construction sector. There can be frustration from the community, or even Metrolinx, when unions make decisions that aren’t in favour of the CBA, because they don’t understand how unions do things. Denisa suggests that unions themselves would have to alter their collective agreements—which usually prioritize seniority when making hiring decisions—to allow them to be more creative and supportive of apprenticeship opportunities and target hiring for equity-deserving persons.

Current laws in Ontario regarding the use of unions are also quite strict. This can limit the labour force a general contractor has access to, potentially limiting the diversity of the workforce, since many unions have historically been inaccessible for equity-deserving persons. CBA frameworks like Metrolinx’s can help break down some of the barriers to unions, making them more diverse, but CBAs alone aren’t enough. Some of these changes may require government policy or intervention to support placing apprentices or diverse hires within unions.

Include sub-contractors

Metrolinx shares that they’ve had big lessons in recent years about the critical role of sub-contractors and would like to see them more actively involved in future CBA implementation. TCBN echo this sentiment, citing the fact that sub-contractors are generally responsible for 80% of hiring on the job, if not more. Under the current CBA framework, they are not reporting their statistics or included in the CBA unless the general contractor takes that initiative.



Case Study 3: Community Employment Benefit Initiative (CEB): Comox Valley Regional District Implementation

PROJECT OVERVIEW AND OUTCOMES

One type of community benefit policy that is applied to construction and infrastructure projects across Canada is Infrastructure Canada's Community Employment Benefit (CEB) Initiative under the Investing in Canada Infrastructure Program. This policy is triggered when Federal Government financial contributions or grants within the program reach an agreed upon financial threshold.

“Implicated projects are to provide employment and/or procurement opportunities for at least three of the groups targeted by the initiative: apprentices; Indigenous peoples; women; persons with disabilities; veterans; youth; recent immigrants; and small-sized, medium-sized and social enterprises. ... The employment and procurement opportunities achieved against the project targets will be reported on an annual basis over the course of the project.” – Infrastructure Canada

In 2018, the Comox Valley Regional District (CVRD), which represents a collection of small rural communities on the Eastern coast of Vancouver Island in BC, accepted federal grant funding with a CEB requirement attached to develop a new water treatment facility for the region. The CVRD also signed a partnership agreement with the K'ómoks First Nation (KFN) confirming cooperation and collaboration in the management of water resources in the region.

When applying the CEB, Scott Hainsworth, Manager of Operating and Capital Procurement for the CVRD until Fall 2020, said the Regional District focused on sub-contracting opportunities for the local First Nation, and motivating the general contractor and sub-contractors to hire from members of three targeted groups such as: Indigenous peoples, apprentices and other equity-deserving groups.

Because this was the first CEB project the CVRD administered, they asked proponents to propose, establish and report on a baseline number of employment hours for target groups, based on what they felt they could achieve in the region.

Once the successful proponent had their proposed targeted employment hours and bid accepted, there were heavy financial penalties if those targets were not met. In addition to a one-time \$50,000 deduction, the developer would also be fined \$50-per-hour for every hour of inclusive employment they failed to achieve.

Luckily for Aecon, the general contractor on this project, these penalties were no issue. “*We met and surpassed the targets,*” says Aecon Project Manager Jamie Abernathy.

“The CEB was absolutely effective in ensuring apprenticeship and work-force diversity,” he adds. *“We started with a target of just under 50,000 targeted employment hours and achieved 125 or 130,000 hours.”*

The District saw no additional costs on the project as a result of the CEB requirements.

BENEFITS AND OPPORTUNITIES

Market leadership

Aecon was able to amplify their impact in the region by working with sub-contractors and passing some of the CEB requirements down to their contractual agreements. On all work Aecon tendered, they had the sub-contractors make commitments and if two bids were close, their hiring commitment was a deciding factor for who was successful.

The CVRD also saw the positive impact on market awareness and leadership by applying a CEB to the project. CVRD joined the growing movement of local governments and communities who are asking for greater value to be provided by developers.

“We were able to signal to market that we’re watching this, it’s important to us.” – Scott Hainsworth

Local hiring

Local hiring was good not just for the community, or for reducing travel expenses for employees in from out of province, but also for Aecon’s volunteer initiatives. Jamie Abernathy explains that on every project Aecon

does, they encourage employees to get involved in volunteer efforts in the community they are working in.

Because there were more local employees on this project as a result of the CEB, Jamie saw lots of success with volunteer work. *“People are far more willing to give back to their community,”* he says.

Sector learnings

Scott Hainsworth raised that a major benefit for the CVRD was that the CEB offered an opportunity for them to test the waters and see what similar initiatives the market might tolerate in future. Based on this learning, there is room for the District to iterate and improve CBAs or social procurement requirements on future construction and infrastructure projects.

Results-driven

Both Aecon and the CVRD shared that many of the great results this project saw wouldn't have happened without the CEB Initiative.

For the District, Scott Hainsworth doesn't believe these targets would have been set or surpassed if the CEB requirements weren't tied to grant funding. He encourages the continued use of this framework to support other community benefits on developments across Canada.

The construction and development sector is also results-driven. While companies do consider and contribute value to local communities they are working in, the harder commitments are more effective when they are made contractual obligations.

“When contracts are tied to targets or commitments that have penalties, you'll figure out ways to do it,” says Jamie Abernathy. *“I think that will start to really change things in the industry.”*

CEB model is simple, adaptable

Scott Hainsworth, who wrote the bid documents and oversaw the procurement and evaluation on the project for CVRD, found the CEB model to be simple, clear and easy for people to understand and respond to during the bidding process.

He also appreciated that the model has good building blocks that municipalities and purchasers can adapt based on their specific strategic goals and community needs.

CHALLENGES AND LESSONS LEARNED

Setting targets

The key concern with the CEB model or process in CVRD raised by Aecon was the lack of hard targets in the RFP. Not knowing targets, and having to propose their own, was a significant challenge that opened up the process to the risk of unfair bids, says Jamie Abernathy. Because the CEB requirements can affect the total price of the bid, someone could win unfairly because they set lower targets.

The fact that proponents were responsible for suggesting their own targets for inclusive employment hours on the project also exposed the general contractor to an increased risk of penalization.

“It’s pretty tricky to put a number to hiring targets,” says Jamie. “In our work we’re going to new communities all across North America for work. Trying to understand the lay of the land and what opportunities are there is difficult.”

Scott Hainsworth at the CVRD also struggled with the fact that the CEB initiative didn’t suggest any targets based on market research, precedent or best practice. And because this was the first project with targets for inclusive hiring, the District didn’t have any pre-existing benchmark against which they could compare results or evaluate the level of success the project had.

An advocate for clearer, defined targets from the outset on CEB projects, Jamie Abernathy also encourages that contracts include a stipulation for best efforts.

Lack of support from CEB Initiative

In addition to CVRD's desire for the CEB Initiative to share input on possible targets based on market awareness, Scott Hainsworth also found that the CEB Initiative was sometimes too *"high level."*

"It could be more structured or provide more guidance in terms of what government is trying to achieve, such as ratios or percentages of a workforce who should be from barriered groups. – Scott Hainsworth, CVRD

Any additional structure or oversight should be tempered by the real need for different governments to be able to tailor the program to their needs.

Identity disclosure

Jamie Abernathy shared that he often sees a lot of sensitivity from workers about sharing if they are part of an equity-deserving or targeted employment group. This means that reporting may never be completely accurate, since some people may choose not to say they are a member of an equity-deserving group for fear or stigma or negative repercussions.

To combat this on the project, Aecon's team had only one employee who knew which workers were members of the different target groups.

Labour market pressures and training requirements

"We lucked out on this project because the workforce was available"
– Jamie Abernathy, Aecon

Jamie shares that on other Aecon projects with diverse hiring requirements, for Indigenous peoples on projects in Northern BC for example, they have found it much more challenging to meet targets because so many projects are competing over the same few potential employees. And the same is true for workforce in general, the construction industry is seeing a shortage of labour across all trades and areas right now.

To combat the labour market pressures, Jamie and Scott both emphasized that future projects should consider different training opportunities, and that governments could also collaborate with employment support groups in their communities.

Culture change

“CBAs definitely play a role in changing the culture of the construction sector.” – Jamie Abernathy, Aecon

Addressing the workforce demand also requires that people not previously in the industry are encouraged to join it. Currently, the culture of the industry can be a barrier to bringing in more diverse workers. Jamie also emphasized that CEBs and other CBAs with hiring targets won't necessarily grow the workforce when they only bring in equity-deserving peoples who are already working in the industry.

In addition to setting diversity targets for employment hours, general contractors and local governments need to support changes in the workplace culture that reduce barriers to entry and encourage more people to start working in construction.

Jamie is hopeful that CBAs and CEBs on projects can play a role in this. As more projects are explicitly promoting diversity in the workplace and people have the option to choose a project which is more representative—where they aren't the only woman or Black person on site, for example—this will help to change the reality and perceptions of construction industry culture.



Section 2: Key Informant Interviews

Executive Summary

The vast majority (88%) were in favour of CBAs as a tool to advance apprenticeship and workforce diversity.

METHOD

The purpose of the key informant interviews is to capture diverse perspectives, identify key insights, and surface examples of successes and challenges in the implementation of CBAs across Canada, particularly in terms of apprenticeship and workforce diversity objectives. The sample drew from the following types of organizations: construction associations, general contractors, construction social enterprises, community benefit networks, governments, and intermediaries. The sample had representation from most regions of the country, with significant input from Ontario and British Columbia. Most respondents had a significant amount of knowledge of CBAs, while approximately half had implemented many CBAs (more than three). The vast majority (88%) were in favour of CBAs as a tool to advance apprenticeship and workforce diversity.

RESULTS

The key benefits and/or opportunities arising from the use of CBAs were described as follows. Note: the responses are roughly ordered on the basis of the frequency of mention.

- A Provides access to new sources of labour, helping address labour market pressures.
- B Addresses bias and discrimination in construction.
- C Lifts people out of poverty through well-paid career paths.
- D Creates a legally binding structure that requires accountability.
- E Allows for a collaborative and creative local approach to implementation.

- F Provides flexible access to upskilling and formal apprentice opportunities.
- G Increases demand for supply of goods and services among social enterprises, minority-owned, and local businesses.
- H Empowers communities to shape the nature of local benefits and targets.
- I Saves the government money/improves cost-effectiveness, in the bigger picture.
- J Shifts workplace culture towards increased safety, respect, and inclusion.
- K Levels the playing field for bidders.

Many of the key barriers and challenges are woven together, and, as such, the following items should be understood to be intertwined. This list summarizes the difficulties associated with CBAs, noted in order of frequency of comment.

- A Targets and approaches are prescribed and not adapted to context.
- B CBAs if not designed well can download social value outcome responsibilities, costs and risks to sub-contractors who may not be equipped or capable of achieving project outcomes.
- C If the apprenticeship program infrastructure is not fully functional this can be a hindrance to the advancement of CBA related apprenticeship goals. As an example, insufficient or long waits for classroom components of the program.
- D Unions are a mixed blessing. Some CBAs force workers into a union track.
- E CBA stakeholders lack networks and resources to broker relationships and build capacity.
- F Culture clashes are real and need to be addressed.
- G There is a lack of rigour in terms of accountability.
- H The focus is on “*checking boxes*” vs. producing results.
- I The process is administratively and financially burdensome.

- J** There is a perception of unfair competition.
- K** There is fear and misunderstanding in the industry.
- L** CBAs inflate price.
- M** There is a stigma associated with marginalized workers (and those who employ them).

Participants were asked about the potential of expanding the CBA approach from its narrowest conception as an on-site employment agreement to a broader one that would include opportunities for apprenticeships and diversity in predevelopment phases, on-site and off-site employment options, local supply chains for goods and services and post-construction, operations phases. The responses were grouped as follows. Note that those in favour of the broader approach came from all stakeholder groups.

- In support of a broader approach (76%)
- Unsure, depending on local conditions (16%)
- In support of a narrower approach (4%)
- Against either form of CBA (4%)

Interviewees' final comments summarized in terms of the following "*helps and hindrances*" moving forward:

- A** Make better connections to networks of human resources and diverse suppliers.
- B** Engage in pre-planning and coordination to improve job recruitment, training, employment pipeline planning, and coordination.
- C** Explore other models that reduce the requirement for multi-stakeholder community networks.
- D** Redefine community to allow for a broader pool of workers and suppliers.
- E** Destigmatize construction.

The following two quotes summarize the nature of the views expressed in the majority opinion:

“It comes down to community impact, which drives economic growth, creates a diverse supplier chain, creates some diversity in the workforce, and, more importantly, scales apprenticeships which are needed right now because we have about 300,000 labour jobs we need to fill. We need the capacity; skillsets and pipeline opportunities.”
(Intermediary)

“It is really important CBAs exist and that they are not overcomplicated to the point that there’s a question as to whether or not they should exist. It’s about how to pull it off in a way that’s just less confusing and complicated for everybody.” (Construction Social Enterprise)

Minority points of view are noted in the document. Many of the concerns and suggestions raised by the one construction association firmly opposed to CBAs were shared by others. This would suggest that it is the degree of criticism, rather than the substance of the argument, that separates proponents from opponents of CBAs. For example, some organizations criticized the use of quotas that assumed a “*one size fits all*” projects approach or penalties for failure to achieve goals without recognizing the reality of the supply available, however, on balance they still supported CBAs as a whole.

Conclusion

This research suggests that there is significant support for CBAs by proponents as a tool to advance apprenticeship and workforce diversity. Although there isn’t unanimous agreement on this position, and while some of the support is qualified, on balance, the interviewees believe that CBAs have merit. CBAs can be effective tools for leveraging infrastructure spending to achieve social and economic outcomes. Notwithstanding this support, current approaches need fine-tuning and coordination to better reflect local capacities and priorities.

Key Informant Interviews: Results

Abstract

Twenty-five diverse organizations from across Canada were interviewed to capture the range of experiences with, and opinions of, Community Benefit Agreements (CBAs). This research suggests that there is significant support for CBAs as a tool to advance apprenticeship and workforce diversity. Although there isn't unanimous agreement on this position, and while some of the support is qualified, on balance, the interviewees believe that CBAs have merit. CBAs can be effective tools for leveraging infrastructure spending to achieve social and economic outcomes. Notwithstanding the support, current approaches need fine-tuning and coordination to better reflect local capacities and priorities.

BACKGROUND

Purpose of the Interview

The overall research goal is to increase the information available on recent and current Community Benefit Agreement (CBA) projects. The intent is to include the perspectives of those for, indifferent to, and against CBAs. The purpose of the key informant interviews is to capture diverse perspectives, identify key insights, and surface examples of successes and challenges in the implementation of CBAs across Canada, particularly in terms of apprenticeship and workforce diversity objectives.

METHODOLOGY

Sample Selection

Buy Social Canada developed a list of regionally and otherwise diverse stakeholders for the interview pool. These names were supplemented by members of the project's advisory committee. The resultant list is best described as an opportunistic sample based on a snowball technique. The approach does not claim to be representative or statistically significant.

There were 38 organizations on the original, brainstormed invitation list. After careful review and a focus on stakeholder diversity, 33 of these organizations were pursued. In all cases, invitees were emailed at least twice, using different platforms including email and LinkedIn, and phoned to follow up. This approach yielded a final sample of 25 organizational interviews. (Note that some organizations had more than one representative on the Zoom call, allowing the interviewer to speak to 29 individuals.) See Appendix A for the list of organizations interviewed for this project.

Approach

Buy Social Canada contracted an independent third-party, Another Way, to assist with developing the research questions and conducting the key informant interviews. Participants were provided the questions before the interviews in order to provide additional time to prepare responses. The 30-minute interviews were conducted on Zoom. Participants gave permission to record the sessions on the understanding that all of the answers would be anonymized and there would be no attribution of comments to individuals. All of the interviews were conducted in English with the exception of one interview which was conducted in French. The sessions were held over November and December of 2021.

Limitations

Despite reaching out to several Indigenous organizations from across the country, only one, the North Eastern Alberta Aboriginal Business Association (NAABA), was successfully interviewed. (At least one additional individual interviewee is Indigenous, but no demographic questions were asked to ascertain the origins of the participants.) No organizations from the far North were interviewed. Neither were training organizations that supervise/train apprenticeship programs involved in CBAs, although Toronto Community Benefits Network who are involved in the running of a program were included. Furthermore, the research focused on the “demand” side, rather than the “supply” side of labour, which reduced the outreach to workforce intermediaries and social enterprises. Finally, those with the greatest experience with CBAs appeared to be most likely to respond to the invitation to participate. This resulted in greater engagement from organizations in Ontario and British Columbia.

Questions

The interview was divided into two sections. The first section focused primarily on close-ended questions intended to help map the range of knowledge, experience, and opinion reflected in the sample. The second half explored open-ended questions that probed perspectives and explored answers in greater detail. The full set of questions is provided in Appendix B.

RESULTS OF ORIENTING QUESTIONS

Characteristics of the Sample

As mentioned above, 25 unique organizations were interviewed. Approximately half were from the construction industry, including construction associations (32%), general contractors (12%), and construction social enterprises (12%). The balance of the sample included community benefit networks (16%), governments (8%), intermediaries (8%), and others.¹ The following table summarizes the sample by region and by stakeholder group. The interviewees include a range of demographic groups including women, Black, Indigenous, and other people of colour.

GEOGRAPHIC REACH				
SECTOR	RURAL	URBAN	URBAN + RURAL	TOTAL
Provincial Crown Corp.		1		1
Community Benefit Network		3	1	4
Construction Association	1	3	4	8
Construction Social Enterprise		2	1	3
General Contractor		3		3
Government		2		2

¹ The two intermediaries were the British Columbia Social Procurement Initiative and Social Economy through Social Inclusion.

GEOGRAPHIC REACH				
SECTOR	RURAL	URBAN	URBAN + RURAL	TOTAL
Indigenous Organization	1			1
Intermediary	1	1		2
Training Organization			1	1
TOTAL	3	15	7	25

Table 1: Interviewees by Region and Sector

The sample had representation from most regions of the country. It was heavily weighted with participants from British Columbia (28%) and Ontario (20%), as the following table shows. The presence of pan-Canadian organizations further helps provide a national perspective.

INTERVIEWS	
PROVINCE	COUNT
Alberta	3
British Columbia	7
Manitoba	1
Newfoundland and Labrador	1
Nova Scotia	1
Ontario	5
Quebec	1
Pan Canadian	6
TOTAL	25

Table 2: Interviewees by Province

Definition of a Community Benefit Agreement

Participants were asked to define a CBA. There was strong conceptual agreement as to what CBAs are intended to do and who they are supposed to serve. While word usage varied, respondents used the following terms and concepts to define CBAs:

- Ensures local community-based benefits peripheral benefits from the spending of public money. (Provincial Construction Association)
- A way to leverage infrastructure dollars to support social aspirations. (National Construction Association)
- Construction or infrastructure projects of a certain value that must include community benefits that can range from targeted employment, training and apprenticeships, playgrounds, or environmental outcomes. (Intermediary)
- CBAs define the nature of the community and the types of benefits and the amount of local spend required. (Contractor)
- It's a mechanism for conferring community benefits as associated with development rights. (Government)
- It is an agreement negotiated by community voices, developers, proponents and governments to realize a range of community outcomes associated with a specific construction or infrastructure project. It brings accountability to the realization of the promised outcomes. (Community Benefit Network)
- A clause or a condition within a contractual agreement to create social impact through a tendering process. (Construction Social Enterprise)
- While other jurisdictions have their own versions, British Columbia's CBA sets out to grow and diversify the skilled trades workforce in order to create local economic benefits from major infrastructure projects. (Intermediary)

Alternate models seeking to achieve community benefits

A number of interviewees expressed their opinion of what a CBA is by providing examples of models they do not consider to be a CBA. The example used was that of the British Columbia Government designed model, BCIB. Interviewees expressed the view that this was a labour agreement (not all interviewees used this exact terminology but used

similar language). For example, [the BCIB model] “*is an approach designed to favour one type of worker, those who join a particular union*”.

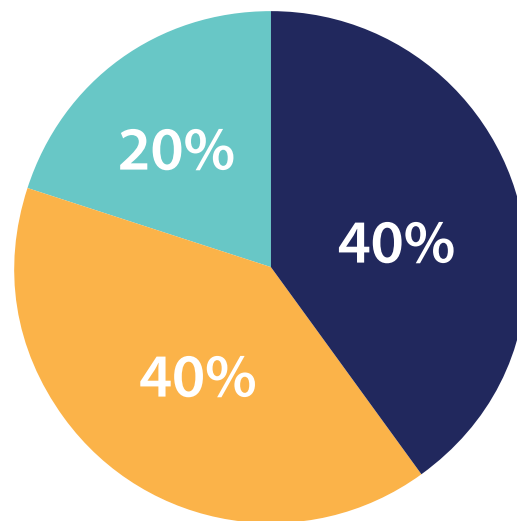
This insight is important because some interviewees who qualified their opinion of CBAs based their answers on CBAs not being based on this model e.g. they are generally in support of CBAs but not of this model of CBA. While others expressed a support for CBAs and expressed that they do not consider this model (BCIB) of CBA to be a true CBA.

Knowledge of Community Benefit Agreements

Participants were asked to rate their knowledge of CBAs. As the chart below illustrates, most rated themselves as having some or a lot of knowledge. A minority (20%) considered themselves Canadian leaders or experts in CBAs. There was no discernable pattern to the responses, i.e., those in the expert category included contractors, networks, an intermediary, and a crown corporation. The same distribution is true for the other response types.

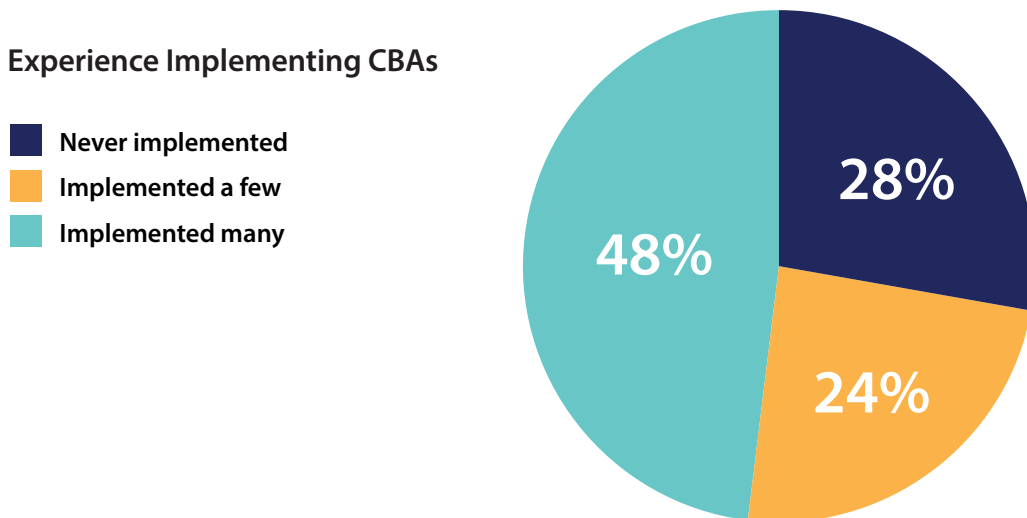
Knowledge of CBAs

- Some
- A lot
- Expert



Experience with Community Benefit Agreements

Interviewees were asked about their direct experience working on a CBA. Those organizations who represent members replied on behalf of their membership. The chart below shows that half of the sample has worked on many CBAs (more than three), while almost one-third has not yet implemented a CBA (were in the policy development or negotiation of their first CBA). Those who have never implemented a CBA include general contractors, governments, and intermediaries. Those with the greatest experience include construction associations and construction social enterprises.



Overall Opinion of Community Benefit Agreements

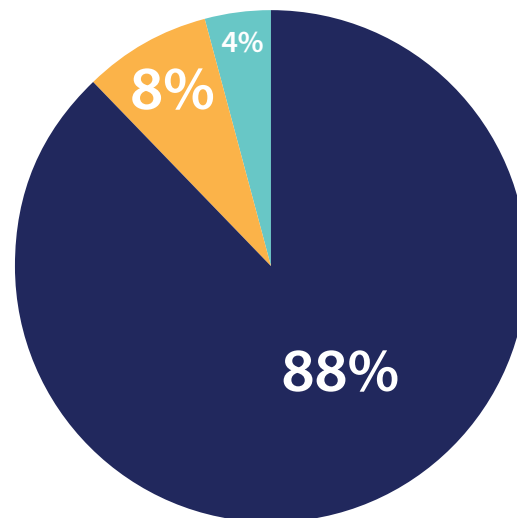
Interviewees were read three statements and asked to select the one that most closely reflects their opinion of CBAs as a tool to support apprenticeship and workforce diversity. As the chart below shows, the vast majority of the respondents (88%) indicated that they are in favour of CBAs as a tool to support workforce diversity and apprenticeship. The following quote summarizes the perspective of those in support of CBAs: *“Our industry has a massive labour crunch going right now so we can’t ignore anything that would help us fulfill some of the gaps that we’re seeing that are growing, and we’ve been trying to solve this problem for years on our own with no help. We’ve held our own. We’ve spent hundreds of thousands of dollars hosting high school kids in hands-on programs and*

try and encourage them to join the industry, and we're not really been very successful so CBAs, and the other groups that get involved in these will add further skill and focus to a challenge." (Construction Association)

Two construction associations and one general contractor bracketed their support with the following types of qualifiers. The potential reasons behind these statements have been expanded on further below through their responses provided to the open-ended questions.

- I am in favour in theory, but not sure in practice.
- As long as it isn't a "check off the box" ill-defined or unsustainable approach.
- If done right.

Opinion of CBAs



Two interviewees (both construction associations) indicated their neutrality about the model. One stated, "It depends on the model." One construction association was unequivocally opposed to the CBA model: "We are very much supportive of apprenticeships, we're very much supportive of diversity and inclusion. The CBA is not the appropriate tool. Quotas are not the appropriate tool." This perspective is summarized in a Minority Opinion section.

It is noted that interviewees were asked to express their support or opposition to CBAs based on their own experience of and definition of a CBA, the construction association who unequivocally opposed a CBA model based their answers on the definition of a CBA they provided which included quotas. It is noted that not all interviewees included “quotas” as a key part of their own definition of a CBA.

Results of Open-Ended Questions

This section summarizes the key themes arising from the open-ended questions. The themes are organized, roughly, in terms of frequency of mention. The overall occurrence of themes is captured by the number of quotes provided rather than a tabulation of key words. While imprecise, this subjective approach allows for the grouping of comments, irrespective of when they were made during the interview.

No effort has been made to reconcile contradictory points of view. For example, from some perspectives, contractual employment and apprenticeship targets are a key benefit, whereas for others these “quotas” are a major barrier. Further, some comments fall into multiple categories but are retained in one paragraph to preserve the context of the comments.

In some cases, the quotes have been edited for clarity and brevity or to avoid redundancies in common speak such as “*ah and you know*”. All identifiers of speakers (including their region) have been eliminated so that comments can only be attributed to stakeholder groups. This approach has required the researcher to include two individual organizations into broader categories. In the balance of this report, the term Intermediary includes not only workforce intermediaries but also BCIB and the North-Eastern Alberta Aboriginal Business (NAABA).

Finally, respondents were not asked to substantiate their perceptions or beliefs with facts. This is true for both the questions about opportunities and about barriers. As a result, the conclusions are less about objective facts than about first-hand experiences and opinions.

Key Opportunities and Benefits to Support Apprenticeships and Workforce Diversity

What follows is an in-depth exploration of the comments provided. The benefits are organized by stakeholder groups, although some benefits accrue to more than one group. Wherever possible, quotes are used to help reflect the “*voice*” of the participants.

A Provides access to new sources of labour, helping solve the labour market pressures.

Primary Beneficiaries: Employers, Workers

“You attract people to construction. That is what we need, labour, because we are in a deficit position to the tune of about 122,000 – 150,000 individuals. CBAs help facilitate that by attracting people who may not have considered construction to be their first choice, which is fantastic because we want them.” (Construction Association)

“We have a crisis on our hands. Something like 46% of the community construction industry is expected to retire in the next 8 years. So, the main benefit of a CBA for the construction industry is in finding more talent to get into our projects.” (General Contractor)

“It’s been the same old for the 30 years I have been doing this. Drop in the bucket, one-off women in trades initiatives with absolutely no support. This is a very different take on an issue that needs solving for racialized people, women, for newcomers to Canada, and how solving this can meet the need to address the shortage of workers. This will help prepare and train the next generation of builders who are going to meet the challenges the industry is facing when it comes to labour shortages in the construction sector.” (Community Benefit Network)

“We have such a challenge backfilling for people and suppliers and sub trades. That whole supply chain, including our own labour, and that is not going to get better. If we stick to the same old traditional approach we’ve used for 100 years, we won’t get anywhere. The diversity piece is the big benefit in terms of increasing our supply chain. Add to that a whole layer of people who are retiring. We need to bring a whole new layer of people in.

It's a sustainability of the industry problem. Full stop. We need different approaches and different options, thoughts, and experiences. It's almost a risk management strategy for us." (General Contractor)

"Employers get access to a whole group of people that they might not have considered." (Intermediary)

"In our industry, we have a shortage of workers. It's pretty critical at this point. This has especially come forward with COVID. What's proven out so far, at least from me, taking a bit of a distant view, is that it can be a strong catalyst for engaging, different demographics of our society, bringing them into an industry that I think needs more people." (Construction Association")

B Addresses bias and discrimination in construction.

Primary Beneficiaries: Employers, Workers

"We want, and the CBA allows, our workforce to be reflective of the constituents of that city, so our biggest asset is that it allows for that conduit." (Construction Association)

"We know women have been held back and some underrepresented groups have been held back. We're going to need help with things like a CBA to move the needle on this." (General Contractor)

"Construction did a gender-based analysis and it showed that the biases within construction against a number of groups are quite significant, persistent, and severe. CBAs shine a spotlight on these biases—who is being hired, their wages. It creates a potential for behaviour change; a more equitable, diverse, culturally safe workplace for equity-seeking groups." (Intermediary)

"I mean, we can't give birth to enough white men fast enough to address the labour shortage. Why not look to the other half of the population, at least, as a start"? (Construction Association)

"Construction is a complex environment as it is, and then there's the issue of people going into environments that are not necessarily welcoming and experiencing on-the-job issues that relate

to racism and also just other things that they don't understand. While there are people who are conscious within their own unions, they recognize that their unions have an issue with diversity within their workforce. They have a way to go. So, a common framework is needed to address systemic racism if workers are going to really succeed in the industry and have real clarity on the expectations of that environment." (Community Benefit Network)

C Lifts people out of poverty through well-paid career paths.

Primary Beneficiaries: Workers, Communities, Governments

"It's a direct line to the middle class—a massive opportunity for individuals that are living in poverty." (Construction Social Enterprise)

"With the right spirit, CBAs really do help provide workers with lifelong opportunities for advancement, quality of life, and their lives in the long term." (Construction Social Enterprise)

"If we can break down the barriers, we can get people to recognize the opportunity at hand for not only a job, but a good, unionized job with access to pension and benefits which are jobs that people in equity-seeking groups really want...This connects back to the work of the City of Toronto and the poverty reduction strategy. This is a poverty reduction initiative that ties into economic development goals and social development goals." (Community Benefit Network)

"You raise their income and make opportunities for individuals and groups that might not have access to employment. That's how you begin to address issues of poverty." (Intermediary)

"Our approach emphasizes workforce development. We have wrap-around support services for folks to access meaningful employment and maintain that employment. Through that larger multiplier effect is a reduction in poverty and healthier communities. It is helping us as a city to meet our poverty reduction goals as well as the community economic framework and social procurement framework we have in place." (Government)

D Creates a legally binding structure that requires accountability.

Primary Beneficiaries: Communities, Governments

“The contractual requirement of a CBA takes away the excuse that ‘this is so hard’. Now, you don’t have a choice. You want this contract? This is baked in. You actually have to do this. So now make it part of the contract. It becomes a priority no different than safety. You know, safety costs money but you have to do it because it is part of the contract.” (Construction Association)

“I think it’s a fair and open tendering practice to make sure that there’s eyes on it and a measurement and implementation plan to actually achieve those outcomes. Without that actual agreement in place, you could have a project with really good outcomes, and you could have a project that has no outcomes whatsoever.” (Construction Association)

“I think it is a benefit to have prescribed target, for example, about the number of women or disadvantaged people. It is a benefit to know what those hard deliverables are. In order to bid or have your tender approved, you actually have to contract to meet the target and not, ‘please hire Indigenous people or do your best to recruit women’.” (Construction Association)

“First and foremost, they can compel. They can compel public investment to be directed in a direction that is beneficial to labour. It can mandate certain apprenticeship ratios, goals for diversity, set criteria that define your objectives. It prescribes a path that legally has to be followed. That is a lot different than having a wish list. It creates a framework that allows you to define a fair wage, the work environment, the apprentices. It is contractual, not voluntary, so that is some accountability because they are in a contract.” (Construction Association)

E Allows for a collaborative and creative local approach to implementation.

Primary Beneficiaries: Employers, Workers, Communities, Governments

“It provides clarity to all stakeholders as to what the outcomes are going to be. It then also provides certainty where everyone at the table is actually creating a workforce development strategy.” (Construction Association)

“A mix of strong relationships from owner and consultant and the third-party group is key. I am thinking of an Embers in Vancouver, End Poverty Edmonton, or Momentum in Calgary. These people are doing some front-end vetting and ensuring that when contractors go to hire you know there has been some vetting.” (Construction Association)

“CBA is a process to bring all of the key stakeholders together who have responsibility for, or who impact the apprenticeship system and the outcomes for people from historically disadvantaged communities. We’re all the stakeholders around the table. We meet on a quarterly basis, and as needed. We have this agreement in place. Our accountability partners are all at the table looking at what are the systems and structures and how we implement this together to achieve the best outcome and to fulfill the promise of community.” (Community Benefits Network)

“The ultimate benefit is that you’ve now got a bunch of allies all trying to tackle the same thing and drive results. We are all on the same page -you’re not just floundering around on your own. You’ve got other groups that have access to potential apprentice candidates that you don’t necessarily have access to. You have other people, and other resources, helping attract these individuals and helping in the monitoring and the metrics because it has to be reported. You have to do this because you’re held accountable to report the results.” (Construction Association)

F Provides flexible access to upskilling and formal apprentice opportunities.

Primary Beneficiaries: Employers, Workers

“One of the reasons for really pushing for CBAs is to get those apprenticeship programs in place. We want hiring people at risk, young people into these apprenticeship programs.” (Government)

“We have good, skilled workers that have life challenges. Because of their situation, they can’t work full time. So, you start with that situation, and you continue to work with them. We have people that are site superintendents today that began working one day a week. So, you need patience and commitment and that is what the CBA gives you.” (Construction Social Enterprise)

“CBAs mandate employment and apprenticeships. It removes on the barriers of excuse where employers say it’s a lot of extra work to bring on an apprentice or student. It is a lot of work but the long-term impacts of doing that are so great. There is a double benefit to the community with training an employee. You develop society when you focus on employment and training. It gives younger employees or people that are looking for work the opportunity to buy into being part of the community. There is nothing prouder and living the dream than being able to say, ‘hey, I built that bridge.’” (Intermediary)

“For us, one of our ultimate outcomes isn’t necessarily apprenticeships. We believe in choice for a young person. So, for us, a job offers an opportunity to maintain stable housing to start building confidence and entry levels skills. A lot of young people who work with us don’t necessarily go into employment in the construction sector. It’s about being able to self-actualize and figure out what they want to do. The opportunity for a job sets the conditions for that.” (Construction Social Enterprise)

G Increases demand for supply of goods and services among social enterprises, minority-owned and local businesses.

Primary Beneficiaries: Communities

“Our CBA includes supply chains, so we are engaging on the procurement side as well. Engaging with local communities and using them for goods and services vs. using other companies outside of the local communities.” (General Contractor)

“CBAs open up access to revenue. That demand helps social enterprises and diverse-owned companies build their capacity to take on more work. Increased access to markets on the part of social enterprises means they can achieve more of their social outcomes for marginalized and vulnerable groups and build their capacity to grow their business.” (Construction social enterprise)

“What we are trying to do with our contracts is to look at opportunities through the development process to create revenue options for our social impact businesses and diverse-owned businesses. It’s not just relying upon us as a city to create revenue options through the social procurement framework but through the development industry as well.” (Government)

H Empowers communities to shape the nature of local benefits and targets.

Primary Beneficiaries: Communities

“It serves the purpose of bringing the community voices at the grassroots level into the process, at the table, in a meaningful way, to realize their aspirations for the project . . . It creates an environment, an architecture, under which communities realize they have a lot more power and have the potential to realize their aspirations. Communities feel they can achieve what they want and are not being played, as they have been in the past.” (Community Benefit Network)

“There is a power imbalance between folks with money and folks who are within a community. I think a great equalizer, potentially, is a CBA that provides increased opportunity for folks who live within these communities. If money is going to be spent in a community, why wouldn't the community want to maximize the workforce benefits so that they maximize and circulate within the community?” (Construction Social Enterprise)

I Saves the government money/improves cost-effectiveness, in the bigger picture.

Primary Beneficiaries: Government

“Using a CBA to build a subway could create massive savings for government spending on the criminal justice system and other social services. It's a way to be more intentional about the money that's being spent and to create savings for the government that actually go well beyond whatever costs are associated with the strategy.” (Construction Social Enterprise)

“They've got a ton of research that suggests that for every dollar invested in poverty reduction, there is a \$50 savings to the Canadian social system. So, we could take a kid who is on a path towards crime or poverty. Create a job that pays \$100,000 after 5 years. That kind of savings is something we can work with.” (General Contractor)

“Government has already identified the need for poverty reduction and policies to address racism. The apprenticeship system

is already well-funded. Unions receive funds for training seats. Community organizations receive funds for pre-apprenticeship training, but all of this is done in silos. CBAs can bring this all together. Bring all of the key players together under one vision and mindset and carry it out in a much more efficient and effective manner.” (Community Benefit Network)

J Shifts workplace culture towards increased safety, respect, and inclusion.

Primary Beneficiaries: Employers, Workers

“First and foremost is making sure there is a safe and respectful worksite where there has been, in the past, a lot of under-represented people in the trades facing unsafe, disrespectful, and sometimes blatantly racist job site culture.” (Intermediary)

“Employers can benefit from the diversity of staff and the benefits that culture brings to productivity and to efficiency. There are potentially huge benefits to cultural and workplace safety. This is especially true when we are looking at serious labour shortages.” (Intermediary)

K Levels the playing field for bidders.

Primary Beneficiaries: Employers

“If a CBA that makes our proposal different than others, and more expensive than others, and it hasn’t been demonstrated that it is meaningful to the owners, then we are not going to do it. But if it’s in the requirements, and everyone must do it, then we are safe to do it. It is a level playing field.” (General Contractor)

“There are developers that are more balanced in terms of their values and having more than one bottom line. Now it is hard to implement these values given the nature of competitive bidding. With a CBA framework and requirement in place, this ‘gives them permission’ to bid the work the way they want to. It requires a culture shift in the whole industry so that developers are on an even playing field.” (Construction Social Enterprise)

Key Barriers and Challenges to Support Apprenticeships and Workforce Diversity

Many key barriers and challenges are woven together. Although this section summarizes the topics by theme, the issues should not be seen as distinct. As the following example illustrates, the experience of implementing a CBA raises many obstacles. A second, “*minority opinion*” summary is provided at the end of this section. That summary reflects the opinion of the sole construction association that was opposed to the use of CBAs as a tool for improving apprenticeship opportunities and workforce diversity.

Intersection of Challenges from One Construction Association Perspective

"Understand that in my association, 50% of my members are unionized and 50% are open shop. So, the CBA only really allows for half of my membership to benefit from the apprenticeship opportunities."

"On the apprenticeship side, you are linked to compulsory trades not voluntary trades. This is problematic because you are missing out of so many other sectors and facets. In some projects, the voluntary side is 90% and the industry compulsory side is only 10%. How many electricians do you need on a site? How many plumbers? That's why our biggest focus is on carpentry."

"Remember that an apprentice is a brand-new person to that sector, to that trade. Someone who qualified under a CBA will need mentoring or shadowing. A crew of 6-10 people functions well. We have hard targets that mean we have to hire another 3. Every individual your hire increases labour by 15% so you are increasing the cost by 45% to hire these three people. On top of this, we have to select from a pool. They had 60 people in various stages. I asked about heavy civil, and they said, 'maybe two'. That doesn't even satisfy the first tender, let alone the next 200. There is a mismatch between supply and demand and not overall approach to the labour requirements for the job as a whole. The pool isn't large enough or flexible enough."

"General contractors might get the contracts, but they don't supply labour. The subs [sub-contractors] do. So, when CBAs are mandated, that gets pushed down to the subs. They put hard targets on us and there are penalties if you don't make them. We can't ask, 'Are you part of a distinct minority?' Can't ask about race or gender or sexual orientation. So, our hands are tied. You want us to be drywallers and trainers or be penalized. You want us to be the solution to everything and therein lies the frustration with community benefit agreements."

"The municipality put the cart before the horse. They mandated hard targets in the contract without the situation being discussed with the trades and the unions and the people. They ended up having to backtrack because they realized it was an impossibility. They had to make it aspirational rather than hard targets."

"Please don't misunderstand. We are not against community benefit agreements. It's how you are dictating to people how they can achieve the goals. You use a stick, rather than a carrot. It would be better if there was a bonus structure and not telling me where I can draw my people from or how I organize the project to achieve the goals."

Barriers and Challenges by Theme

A Targets and approaches are prescribed and not adapted to context:

“The last one had a requirement for a percentage of First Nations-owned businesses. We couldn’t find enough to cover it off. Not saying they don’t exist, but we couldn’t identify ones that were a best fit with our corporate culture, safety requirements, and the needs of the project. There was a 100% desire to do it, but it was hard to meet the expectation. How can you mandate targets when there is a lack of supply?” (Construction Association)

“Quotas don’t work for smaller settings. Let’s say you are in small centre and you only have 12 employees total. You are not a diverse-owned business, but you sponsor the community soccer team, you pay local taxes, and you shop locally. Rather than thinking about quotas, think local. This will allow you to get community impact by purchasing goods and services through local small and medium-sized businesses.” (General Contractor)

“Our context is one of a severe labour shortage and too much infrastructure work. The competition for labour is huge. We do have connections with intermediaries, but they only have so many people they can work with and they are placing all of the people they can. There is not a sufficient volume of supply. That is why the language of ‘best efforts’ is so important. That is what we negotiated—aspiration targets. As it turns out, with a lot of work, we are meeting or exceeding these targets, but we are glad there wasn’t a hard line on this. This is also true for us on the procurement side. We are having to work hard to source 10% local goods and services.” (General Contractor)

“The CBA objectives are important. They have to be scalable and flexible because what can happen in a community of 5,000 is not the same that can happen in Vancouver or Toronto that has vast resources and ample labour pools. It is possible to set priorities for local targets - local benchmarks that fit the project. A big project like a bridge replacement will need a large workforce that you can’t necessarily pull from a small community. Where you have a small community and you demand high apprenticeship ratios, there has to be capacity in the community to hire, supervise, and train. That simply might not be doable.” (Construction Association)

“I am against quotas. We have an abundance of homeless people. Construction isn’t for them. Construction is not the best place to place someone with physical limitations who can’t participate in a full work day. We’re not a social service or a treatment centre. We’re a business that works at a high, steady pace that people have to be able to commit to show up for work to and do their jobs. We can’t use CBAs to think we are going to get around that. We can’t get more women. Less than 6% of our workforce is women. CBAs mandating high ratios of women on job sites won’t change that reality.” (Construction Association)

“One of the barriers is the failure to open themselves {government} up to embracing different ways of doing. It’s a very inflexible, paternalistic attitude which is quite infuriating.” (Community Benefit Network)

“There are some specific challenges to rural and remote communities. They don’t have the people or the resources to participate in the same way as big centres, so the process needed to be adapted to those contexts.” (Intermediary)

“Bureaucrats love to set targets. The problem is not the CBA. It’s the bureaucratic restriction by somebody who knows nothing about the industry. It looks good to them sitting in their office, but they are not the guy that’s out there trying to find plumbers or welders or steelworkers and would love nothing better than to have 20% women or Indigenous people working. We literally can’t get them to show up.” (Construction Association)

B CBAs download contract fulfillment, and risks, to sub-contractors who are not equipped for this approach:

“There is a disconnect between those that win the bids and those that do the work. It’s Ellis Don vs. ABC Drywall. The contractor has to make it clear that ABC Drywall has to hire a certain percentage of their crew from X, Y, Z organization and train so many people a year. There are tons of apprenticeship training programs training people with barriers to employment and getting their health and safety tickets. Boom, it’s done. Doesn’t need an intermediary or huge round tables wanting to control everything.

Just give a list of organizations that train disadvantaged people. ‘Call George and he will hook you up’... It’s not that complicated. The disconnect between the subcontractors doesn’t need to be the excuse to blow the whole thing up.” (Construction Social Enterprise)

“The big challenge is that the general contractor or developer signs off the agreement, but it has very few job positions. We don’t want them telling us they don’t have jobs. If the work is all with the subs, then the subs need to be part of it. You need someone from the company coordinating all of the work with the subs, at a very operational level, if that is going to happen.” (Construction Social Enterprise)

“The feeling is that the general contractors are pushing all of the risk on the site, on vendor performance. The owners just dump this on them.” (Construction Association)

C The apprenticeship structure is a hindrance to the advancement of CBA goals:

“In Alberta, the number of seats for an apprenticeship that get assigned depends on the number of registered apprentices in a region. They are only registered in a region if they are working in a region. It is a crazy system. If we could have more people registered in our region that would be helpful. The college would be able to train more people if they could give them more seats. If a CBA says you have to hire so many trainees from the region to fill that quote and there aren’t enough seats, what can you do but hire from outside the region?” (Intermediary)

“The apprenticeship journey itself is very complex. The best of people have a really tough time completing their journey successfully. Some people are able to get directly into a union apprenticeship while others have to go through a pre-apprenticeship training program. Oftentimes they don’t know that they can go directly into the union and start there so they languish in a training program for 3 –w 6 months. Or let’s say you get laid off or let go. You go on EI or get a survival job. You can’t just pick up an apprenticeship again. Or if you are not able to pay your union dues, you lose your opportunity. Then moving from one level to

the next takes some people 3 – 5 years. Ten years later they still don't have their Red Seal. The apprenticeship journey is hard for the regular person but imagine what it is like for those from equity-seeking groups. It's even more challenging.” (Community Benefit Network)

“The challenge the people from our community experience is 80% on the individual apprenticeship side. You can write a whole chapter about women trying to access childcare while in this industry, working on their apprenticeships.” (Community Benefit Network)

“There is a mis-match between the labour force available to train and the number of seats available. It's great to say we want 5,000 apprenticeships in the province over the next two years, but the training system can only handle half of that. So, we have a systems failure in allowing apprenticeships.” (Construction Association)

“A CBA removes the barrier of apprenticeship and indenture by providing work placements. For the employer it's a lot of extra work to bring on an apprentice or bring on a student, but the long-term impacts of doing that are great. There is double benefit to the community. You are training your employee and then there is a resource in the community.” (Intermediary)

Nesting of Challenges and Barriers in Apprenticeships (Construction Association)

"Narrow targets don't work on a basic level where you have to have a 10% Indigenous hire and have to get 50 Indigenous workers on site. In theory there are a number of apprentices and trades helpers but they're really pushing brooms and rolling up extension cords. They're getting paid minimum wage because they don't actually meet a provincial wage schedule because they are not in a designated occupation. They get paid minimum wage for three to five years and then they're back on unemployment and have not gained any significant skills."

"Our big CBA required that all First Nations go to work first, and I would say that 80% of them ended up working in cleaning and cafeteria work. A couple of million dollars got thrown into work readiness training. We did exposure courses. We advocated for bringing apprenticeship training in place but that didn't happen. People were not going to fly two hours south to take eight weeks off for work they may not get. Saying there was no money to fly people down to take apprenticeship courses was a real barrier. The goal was 10% Indigenous hiring and not real workforce development."

"I am not joking. Millions of dollars spent and seven years later less than 10 people became journeyed apprentices."

D Unions are a mixed blessing; some CBAs force workers into a union track:

"Unions are an incredible piece of the puzzle. They guarantee the wages and they make sure the intentions of the agreement are protected. But there is a lot of politics involved and they have their own interests. Still, if you have people ready to go, all you have to do is sign them up for the union. There is an easy way to do that." (Construction Social Enterprise)

"It has not been an easy rollover easy introduction, and I think a lot of that comes from organized opposition to what can be seen as either the union element of the community benefits agreement or a broader kind of political opposition. There's also sometimes misinformation that can be distributed. In fact, the number one

objective of British Columbia CBA is to ensure fair and equal access to every contractor whether they're open shop, or whether they are a member of a union and that's something I said to contractors all the time.” (Intermediary)

“In fact, there are protections in this Community Benefits Agreement that were negotiated so that they would protect open shop companies, so that they are not at risk of becoming certified in the future. Because yes, our Community Benefits Agreement job sites are unionized job sites and workers do become members of the unions. Unions came together to sign the community benefits agreement with the Province British Columbia. So yes workers, become members of the union. I can't recall conversations with workers that were reluctant to become members of the unions, but certainly contractors have some reservations in certain some contexts.” (Intermediary)

“The challenge is that the CBA term in and of itself is tainted because of how it's been done. It's been conflated with project labour agreements and it's been completed with forced unionization. It's been done improperly and not done well. It's been done well in a lot of cases, but it's not been done well in a lot more. So, we have a bunch of people with bad experiences and missing information or just misunderstanding what the term actually means.” (Construction Association)

“We have had experiences where the subs have gone to the unions looking for workers that will meet the requirements and have been told they will get who they get. They are not willing to buy into supplying the labour specified in the CBA.” (General Contractor)

“One of the things that prevents our union allies from being able to fully participate is their collective agreements. There is no language within the collective agreement that allows them to activate the community benefit requirements so that is a challenge.” (Community Benefit Network)

E CBA stakeholders lack networks and resources to broker relationships and build capacity:

“We are getting pushback from the construction sector, but others are opening doors. Industry doesn’t get to sit back and say, ‘OK, you find me all these people and you hire them and supply us with labour’. We say, ‘It’s not for you. It’s not to you. It’s with you’. That is the work we are trying to do - that kind of brokering and coordinating role. We are reaching out to vendors, community colleges, institutions and communities to bring a CBA table together.” (Government)

“The connection to supply is definitely a problem but without knowing about the supply, we don’t know if there is enough supply, even if it is the right kind of supply. Where is the clearinghouse of information?” (General Contractor)

“There seems to be a desire for social enterprises to be subcontractors. That’s great and there is a place for that, but it doesn’t scale. There might be a social enterprise that can get you six people who do painting or a casual labour model. That’s great, but we are doing hundred of millions of dollars of projects. Today, we need 75 painters and a fixed-price contract with a bond.” (General Contractor)

“You are saying you have a worker shortage but you’re not going to the Native education college and making partnerships to get them into work. You just go to BCIT.” (Government)

“There is a gap on the community side to help coordinate this work. And yet, the CBAs don’t fund these backbone organizations to link between industry and community service providers and anchor institutions. If even half of one percent going to infrastructure could be used to support these networks, communities would have the resources they need to do this work.” (Community Benefit Network)

“We have more than enough work, but we can’t find apprentices. We have too many people retiring and not enough partnerships. In fact, we can’t find workers so having a CBA can be a misplaced strategy.” (Construction Association)

“One barrier is when change is implemented without a transition or capacity building process. Then you have employers put into a real tough spot. Now, there have to be a certain number of youth and Indigenous people hired. Right. You don’t have youth that are prepared or have the skills or capacity or the training that is the requirement. Then you have the anxiety and stress and cost which could have a negative impact. So, I think it needs to be accompanied by a transition and capacity building approach that provides great employees, supported employees, to the sector.” (Intermediary)

F Culture clashes are real and need to be addressed:

“Another challenge is managing differences in culture. When it comes to First Nations and being able to be respectful and honouring their needs, it is tricky. So, if an Elder dies there will be a period of time that staff will not be coming to work, and companies want to be respectful of that and honour that. But there's logistics around that impact other commitments that they have. So, there's a matter of just a bit of a learning curve there, and growing pains around that. I don't think there's a lack of commitment and desire, but there are differences that will be new for everybody.” (General Contractor)

“There's, a lot of things that are out there that make people see women and others as being a bit of a liability. If you scratch the surface, you will hear people say that women aren't going to be able to do the same job as a male tradesperson. Or the fact that women will be the ones who are the primary caregivers for their children, so if one of the kids are sick, they're more likely to be away. Right. That's a misconception as well.” (General Contractor)

“With Indigenous people, it's an admirable goal to bring them to a construction site, but a whole bunch of pre-work has to be done by qualified individuals and institutions to socialize the idea with Indigenous people of what it's like to work in a construction site, what the work actually physically requires, what it means to come to work every day on time. And some of those things require cultural adjustments. Now, with Indigenous people, that is not easily skated past. Construction companies can learn to

handle those skill sets, but that is often not their primary job and can become a potential problem. Even at multi-stakeholder tables, each of those stakeholders is doing things potentially that are beyond their mandate, their scope or their capability.” (Construction Association)

“The number one challenge is the culture of the construction industry. We’re trying to ensure that there are meaningful employment opportunities, particularly for folks who are Indigenous and women, and honestly the culture of that industry is not safe or inclusive for those folks. That is a huge thing that needs to be addressed. What we’re finding is that a woman or an Indigenous man or a transgender or Two-Spirit person gets on the job and lasts a month, maybe six weeks maximum and then they want to get the hell out of there. I don’t blame them. These are very colonial systems. It is going to be a ton of work to address the cost of membership in unions, the different types of training required, and how inaccessible those trainings and employment opportunities are.” (Government)

G There is a lack of rigour in accountability:

“There isn’t a line of sight to consequences for performance. The CBA should include a report card where they’re graded on their metrics and that goes back to the municipality for future development considerations. Last time you didn’t beat the targets, you didn’t engage with the community. We can’t look at approving you for more work unless you can assure us that things will be different.” (Construction Social Enterprise)

“Biggest barriers? The CBA not being implemented properly and not having measurements in place and not having an actual dedicated lead on following up to see if the requirements were met.” (Construction Association)

“We don’t have a formal method for real tracking and monitoring of results, which is the whole point of a community benefits agreement from the perspective of hiring people into better-paid jobs and apprenticeships. Do you know if they are retaining work, moving from one contract to another, achieving formal accreditation, etc.?” (Community Benefit Network)

H The focus is on "checking boxes" vs. producing results:

“The problem with quotas is that it’s always about the lowest level jobs. They’re continually hiring labourers or grunt workers. You see it a lot in the Indigenous workforce where they say they will hire 20% Indigenous people, but they just end up digging holes. It should be about hiring people to have a career. Focus on administration and other leadership type positions.” (Intermediary)

“Indigenous nations are a bit worn down by contractors and employers offering training for the sake of training. The jobs don’t materialize. It is hard to overcome that and establish trust because those promises have not always been delivered on or have not materialized.” (Intermediary)

“The CBA approach is very narrow and output-based. It doesn’t build capacity. Last year, the city spent \$25M on social procurement, \$21M of which went to their benefits company, Green Shield, which is based in Ontario. So, yeah, it looks great on paper, but it doesn’t actually fulfill the intent.” (Construction Social Enterprise)

I The process is administratively and financially burdensome:

“If I’m a small contractor, in an eight-person office, I don’t have the bandwidth for the administration involved in all these metrics and all that stuff. It’s the administration burden of managing it as well. There’s potential, with a more intelligent effort, for that to be built into the approach rather than left to the trade contractor to spend more overhead money he can recover.” (Construction Association)

“The feedback that I get from our businesses is that margins of profit are so razor thin, that this would be an added expense to bring on people that that may not be able to operate at 100% capacity because they’re new, they are untrained and have a lower capacity.” (Intermediary)

J There is a perception of unfair competition:

“When a CBA mandates certain targets, or that you have to get labour from a particular source, which created big pushback. So, when we as a social enterprise get work because we can help fulfill CBA targets, we are told that we are unfairly getting market share. ‘It’s fine that you exist, but don’t take business from our members.’” (Construction Social Enterprise)

“Some companies are ahead of the curve and have figured it out. They have the competitive advantage. They have ‘baked it in’; have done more than one. So that creates resentment among other people who are later to the game and are being ‘forced’ into this way of working.” (Construction Association)

“Certain stakeholders are trying to gain commercial advantage. These would-be competitors who think they can somehow game the system or make it work for them. There is a tendency to try to create a benefit, through participation, that uniquely benefits your own organization. That’s not wrong. It just makes it complicated.” (Construction Association)

K There is fear and misunderstanding in the industry:

“They are scared to stick their necks out and say, ‘This is what counts in terms of groups that we want to deliver benefits to, like at-risk youth or underemployed folks or women or Indigenous people.’ They are scared of the politics of it and don’t want to write it down and put it in a procurement document.” (General Contractor)

“There is a perception that owners who want a CBA are asking a general contractor to go knocking door to door or becoming social workers or looking for homeless people on the street to see if they want to work. That is not what it is. So, there’s a lack of knowledge about the social enterprise ecosystem that exists to support this.” (General Contractor)

L CBAs inflate price:

“There is a belief that CBAs will cost more. That needs to be proven and tested locally before people can say one way or another. There is one study out of Vancouver, but that is just one. It would be a good thing to track that.” (Construction Association)

M There is a stigma associated with marginalized workers (and those who employ them):

“I think there is a disposition that if you are a social enterprise, you can’t do the work. Because you work with vulnerable, marginalized young people, with very little skill, that means you are not going to be able to deliver. That stigma about the workers and the social enterprise is a real barrier.” (Construction Social Enterprise)

CBA Role in Fostering Apprenticeship and Workforce Diversity On and Off-Site, Before, During and After Construction

Participants were asked about the potential of expanding the CBA approach from its narrowest conception as an on-site employment agreement to a broader one that would include opportunities for apprenticeships and diversity in predevelopment phases, on-site and off-site employment options, local supply chains for goods and services and post-construction, operations phases. The responses were grouped as follows:

- In support of a broader approach (76%)
- Unsure, depending on local conditions (16%)
- In support of a narrower approach (4%)
- Against either form (4%)

The 19 participants in favour of the broader approach came from all stakeholder groups. Those in the unsure category were limited to intermediaries and one construction social enterprise. One construction association was in favour of a narrow approach while another was opposed to any form of CBAs. It should be noted that even among those supporting the broader approach, several mentioned that it was a good practice to “*walk before you run*”—seeking a phased approach that works from the experience of a proven on-site model.

What follows are quotes that illustrate the various points of view. As with the approach taken throughout the document, the relative number of quotes and/or their respective length is intended to roughly correspond with the frequency of similar comments.

In Favour of a Broader Approach to Expand the Benefits of CBAs:

“Experimentation is the key. You’ll get innovation if you’re broader in scope. It’s not just the trade side. You’re trying to get business owners with diverse backgrounds. Who are my caterers? Who is delivering my concrete? Bring it out to the whole supply chain.” (Construction Association)

“When most construction people are presented with a CBA they immediately think about apprentices and diversity in the workplace. They don’t think about who they hire for janitorial work; who they hire to provide food services. It’s really a buy local mindset. Buy local on steroids. Thinking beyond the initial construction period to asking about supporting small, diverse-owned businesses; hiring a local accounting firm.” (Construction Association)

“A lot of Indigenous folks don’t want to be hired as tradespeople. They want to be hired as an estimator or project manager. ‘You’re giving us the worst work and you’re feeling good about it.’ So, there is some pushback there. We would partner with Indigenous Professional Associations to put them on the job as project managers, coordinators, and field engineers. We have partnered with a social enterprise that works with Syrian refugees. We got a designer who is a craftsperson working on drafting and modeling. That should count.” (General Contractor)

“So much changes with having that broader aspect. It is a great opportunity for everyone who would love to walk to work or bike to work or take an easy, quick transit ride to work as opposed to having to drive and spend an hour in traffic each way. In our CBA we have been able to source an architect from my community; getting our signage from a local company. So yeah, it creates so much more opportunity for the community that you can work and live in.” (General Contractor)

“It can be so much bigger than it is now. It can include locally sourcing signage and fencing, site security, food trucks on worksites,

employment fairs to highlight work and business opportunities in the neighbourhood. We're excited about these opportunities and thinking about higher management, supervisor senior management level positions within the construction industry, not just the trades and labour folks." (Government)

"In our experience, we have been able to identify and place to professional, administrative, and technical positions, everything from operations staff to the engineers to the designers. All of the sorts of jobs HR is looking for. It has had a lot of success already. Our CBAs extend beyond construction. There is a requirement for local and equity hiring as part of the long-term operations." (Community Benefit Network)

Uncertain about Expanding the CBA Approach:

"It depends on the project, on the location, on the life cycle of the project. It would be really important to understand the capacity of local suppliers and ensure that any sort of scaling up in investment is matching with the scaling up of capacity. Increased capacity building is needed to service increased demand." (Intermediary)

"I guess it depends on how you do it. If you know when and how you are bringing in people throughout the entire process; if there is a roadmap for what it looks like in pre-planning, in construction, and during operations. Unless you have all of these things in place, it gives me chest pains just thinking about it." (Intermediary)

Unsupportive of Expanding the CBA Approach:

"CBAs are supposed to be a catalyst to try and urge companies to do more investment in apprenticeship and do more diverse hiring. I can tell you there isn't a company out there that's not doing this now. What is lost on the policymakers is that this isn't going to change. What we want to achieve is workforce development or workforce stability. We can try to support a social enterprise if you want because you are going to pay for it. Better not to think about direct labour on construction but maybe food trucks and non-apprenticeship work like landscaping or cleaning." (Construction Association)

Final Comments Summarized as Helps and Hindrances on the Way Forward

In the final question, interviewees were asked if they had any final comments regarding whether and how CBAs can advance apprenticeships and workforce diversity. These are summarized in terms of helps and hindrances moving forward. Some of the insights have already been captured above, such as the recommendation to streamline processes to reduce the administrative burden associated with CBAs.

Newly-mentioned opinions and suggestions are highlighted in this section. Note that opinions and recommendations may clash—one person’s help is another’s hindrance. Key insights on the way forward are organized on the basis of frequency and include the following:

Make better connections to networks of human resources and diverse suppliers:

“We need standing federal, provincial and municipal tables around CBAs. This will allow us to document best practices and have thought leaders consistently share their innovations and impacts. We can create a national data collection process to allow for a comparison of results.” (Intermediary)

“It is critical not only to engage with the proponent, but also engage the community, at the beginning. That input and buy in at the front end increases the success. It is especially important in smaller and rural communities - that all sectors are part of the scoping of the projects and the inclusion and design of the CBAs.” (Intermediary)

“What isn’t being addressed in the CBA is the wraparound services we need to provide. Our employment agencies provide supports around housing, food, access to transit, mental health, and addictions services. CBA isn’t a tool to make those services better, but it can be used to advocate to make these services better. Without wraparound supports, folks won’t be able to get jobs or maintain them.” (Government)

“Somehow we have to make connections to workers and suppliers. How can my members retain the services of ‘Bob the drywaller’ who is a visible minority if they don’t know ‘Bob is a minority drywaller?’” (Construction Association)

“You need a real commitment from the developer. The proponent hired a full-time liaison person to oversee the CBA. That person was highly educated and acted as the liaison with all of the trades and community partners and the city. They really could oversee the work in an operational way. This has to include the subs as the general contractor only has 10% of the jobs.” (Construction Social Enterprise)

“What we need is information that is easily accessible to general contractors. We need a clearinghouse of information and contacts. Know who to call that will help us place people in a quick and easy way. Be very clear that the boxes have been ticked so we know someone actually qualifies for the job.” (Construction Association)

“We have to build the structures that are needed for this to all work together. You can’t just focus on one thing. They are all connected. You have to look at the bigger apprenticeship system and its barriers and potential connections to education and work and community.” (Construction Social Enterprise)

Engage in pre-planning and coordination to improve job recruitment, training, employment pipeline planning, and coordination:

“We need to know two or three years in advance if this major project is happening so we can upscale people for that roadmap of skill development. Let me know if we will need 40 road builders in two years and I could figure out how to get them ready. All of the opportunities need to be identified upfront. A way to bring people through a leadership path. Maybe that includes administration, or payroll or some other senior position. I know there is a project charter for the building phase. We need a project charter for the development of human capacity throughout so we know how many people we need to put through college or apprenticeship training. To do this you need to understand the local infrastructure or ecosystem.” (Intermediary)

“When a project is in the pending stage, bring together the general contractor and the trades and the unions and say, ‘I need so many people doing so many jobs. I need so many people to lay tracks. Who can supply people in heavy civil in one year?’ This is in advance of the project. I mean all of the jobs involved in the whole infrastructure project. Map out all of the work requirements to develop a pipeline of training and work.” (Construction Association)

“Start with the foundation—a large enough pool that can supply labour. Individuals with the requisite training - legislated health and safety training. Then get them up to speed and give them access to try different elements of construction outside of the compulsory trades. It’s not only electrical, plumbing or carpentry. We need pipe layers and people to do rod work and high-rise construction. Let them have a comprehensive picture and try different trades. Maybe one type of job a week. The contractor would benefit because the individual would have enough experience to say that this is the right fit for me. It would allow for flexibility in the system. If I have a broad requirement to train 100 men and all I have is 100 electricians, there is a mismatch between supply and demand. All we need is some flexibility in the system so that trained individuals are ready to go on-site and try a range of non-compulsory trades.” (Construction Association)

“You need dedicated, multi-person teams that can create a training structure that will allow enough time to go from an entry-level apprentice to a journeyman. You need to have all of these people at the table because you can’t put together an apprenticeship advancement strategy on paper. It doesn’t magically create itself. You have to figure out how you are going to advance x% of your apprentices, the peak demand for labour, the total number of hours a person can achieve and then plan to get there.” (Construction Association)

Explore other models that reduce the requirement for multi-stakeholder community networks:

“Require that the contractor, in their proposal or tender documents, make a commitment to, and an execution plan for adding more apprentices from the local areas, offer opportunities for women and Indigenous people. Baking in those kinds of social outcomes into the procurement agreement. There’s a benefit to that because it doesn’t require multi-stakeholder involvement. It is focused more on the contractor who can then bring in who they need. It’s much cleaner because the key is the identification of the objectives. The emphasis is not on the model, but on the goals for apprenticeships. The contractor can demonstrate how they can compete on price and deliver these benefits in an open competitive manner.” (Construction Association)

“Institutionalize Community Benefit Agreements into all procurements. It becomes a basic requirement, so you don’t have to constantly start negotiating from square one each time.” (Community Benefit Network)

“We are not super prescriptive from day one. We’re going to have an architecture in the agreement that allows us to become more specific as time goes on. We are not ready to say 10% of apprentices must be from equity-seeking groups. We start with a general commitment from the developer and work with the community to figure out the best outcomes. This way you are avoiding the risk of a bad outcome.” (Community Benefit Network)

Redefine community to allow for a broader pool of workers and suppliers:

“Think about it as concentric circles. Start with your core community; your neighbourhood. Then you go to your city, region, or province. Define community and tie it into these bigger elements as they relate to labour and materials. It is a bigger project; you will need a large workforce and you can’t necessarily pull that from a small community.” (Construction Association)

“Depending on your definition of community, we could get up to 80% hired local sub-contractors like mechanical and electrical if they’re within 100 km of the job site. Depending on the job, you might be able to get 50% of materials locally. We did that recently with two jobs.” (General Contractor)

Destigmatize construction:

“We have to destigmatize construction as a career choice because it is still seen as a career of last resort. ‘I suck at everything else so I may as well go into construction.’ I think that’s the biggest challenge. Every other challenge flows out of that problem. It’s too bad because people can generate really good incomes for themselves, and a lifetime career, in construction.” (Construction Association)

“Is there an opportunity to actually speak to the people in the potential workforce? What motivates them? What do they want to get out

of working in the industry? If we understand what would attract them, that might help with marketing and recruitment.” (General Contractor)

Minority Opinion

As mentioned earlier, only one respondent, a construction association, was wholly against CBAs in any form. For sake of balance, their perspective is summarized below rather than integrated into the comments above. (Note that many of the concerns and suggestions mirror those shared by others. This would suggest that it is the degree of criticism, rather than the substance of the argument, that separates proponents from opponents of CBAs.)

Exploring Opposition to CBAs from One Construction Association

“Our position is that we are very much supportive of apprenticeship and workforce diversity, but we believe quotas are not the appropriate tool [to support these outcomes]. Instead, we need to make it more attractive for people to come into apprenticeships. We [also] need to make it more attractive for businesses to hire and train apprenticeships.”

“CBAs may only work in a significantly large city like Toronto or Vancouver, because the numbers are there [to meet the CBA requirements of a diverse workforce]. If you could only hire local, then how do you ever bring in the workforce that you need? Some of our projects are highly skilled and you’re not just going to find those people unless you bring them in from outside.”

“There is an underlying assumption we’ve seen in CBAs that the diverse workforce already exists, and the industry simply won’t hire them. And that’s not the case. The issue is that the workforce currently doesn’t exist.”

“Quotas aren’t the answer either because it’s like you’re hammering in the wrong place. We can’t make people into skilled workers overnight to meet a quota requirement... I’m also against using a system of quotas (because it) creates many allocation inefficiencies, including higher labour costs.”

“Some of our people don’t understand the (required) ratio of journeypersons to apprentices. We have to over employ the number of journey people to meet the target in the number of apprenticeships. This creates allocation inefficiencies.” So, that costs more and what are the journey persons supposed to do? There’s no work for them. [And this] inflates the price of the project.”

“CBAs work very much against Canadian fundamental principles, including labour mobility... There’s tons of people in Alberta that cannot work in B.C. because B.C. requires that only local people be hired. That’s not helpful in terms of efficiency, but also for people (being able) to choose where and how they want to live.”

“That’s not true (that CBAs create new pipelines to people who had not previously become apprentices or been in the workforce). They [still] have to do the work and they have to be willing... and there are a lot of other barriers to employment, especially in the north... In some communities, there’s been extensive training to be carpenters, electricians, whatever—particularly in the north. But, understandably, they don’t leave their communities for work. So, in theory, they’re trained, but there’s no work for them. How is a CBA going to solve any of that?”

Alternatives to using CBAs are getting significant volumes of people into apprenticeship and diversifying the workforce. "One, we have to educate the public and youth... about the opportunities of working in the trades and construction because there's a bias towards getting a university education. Two, a long-term commitment to funding infrastructure so firms can hire apprentices with confidence and keep them on the job... We have to treat humans as commodities."

Conclusion

This sample of CBA stakeholders suggests that there is significant support for the CBAs as a tool to advance apprenticeship and workforce diversity. While there isn't unanimous agreement on this position, and while some of the support is qualified, on balance, the interviewees believe the approach has merit. This despite a wide range of approaches and experiences with CBAs across the country.

The following two quotes summarize the theme of the majority opinion: CBAs can be effective tools for leveraging infrastructure spending to achieve social and economic outcomes; however, current approaches need fine-tuning and coordination to better reflect local capacities and priorities.

"It comes down to community impact, which drives economic growth, creates a diverse supplier chain, creates some diversity in the workforce, and, more importantly, scales apprenticeships which are needed right now because we have about 300,000 labour jobs we need to fill. We need the capacity; skillsets and pipeline opportunities." (Intermediary)

"It is really important CBAs exist and that they are not overcomplicated to the point that there's a question as to whether or not they should exist. It's about how to pull it off in a way that's just less confusing and complicated for everybody." (Construction Social Enterprise)

Appendix A: List of Interviewees

	ORGANIZATION	INDIVIDUAL	SECTOR	GEOGRAPHY
1	BC Infrastructure Benefits Inc	Greg Johnson	Provincial Crown Corp	British Columbia
2	British Columbia Social Procurement Initiative	Kristie Fairholm-Mader	Intermediary	British Columbia
3	Calgary Construction Association	Bill Black	Construction Association	Alberta
4	Chandos Construction	Tim Coldwell	General Contractor	Pan-Canadian
5	City of Vancouver	Alisha Masongsong	Municipal Government	British Columbia
6	Exchange Inner City/DTES Community Benefits Network	Michelle Lackie	Community Benefit Network	British Columbia
7	Ledcor	Lisa Gibson	General Contractor	Pan-Canadian
8	North Eastern Alberta Aboriginal Business Association	Michelle Toner	Indigenous Organization	Alberta
9	Ottawa Community Benefits Network	Martin Adelaar	Community Benefit Network	Ontario
10	PCL	Sarah Kresak	General Contractor	Pan-Canadian
11	Toronto Community Benefits Network	Rosemarie Powell, Kumsa Baker, Jane Wilson	Community Benefit Network	Ontario
12	Vancouver Island Construction Association	Rory Kulmala	Construction Association	British Columbia
13	Vancouver Regional Construction Association	Donna Grant	Construction Association	British Columbia
14	Social Economy through Social Inclusion	Victor Beausoleil	Intermediary	Ontario
15	Progressive Contractors Association	Paul de Jong	Construction Association	Pan-Canadian

	ORGANIZATION	INDIVIDUAL	SECTOR	GEOGRAPHY
16	Edmonton Construction Association	Matt Schellenberger	Construction Association	Alberta
17	Manitoba Building Trades	Tanya Palson	Construction Association	Manitoba
18	Choices for Youth	Chelsey MacNeil	Construction Social Enterprise	Newfoundland and Labrador
19	Building Up	Marc Soberano	Construction Social Enterprise	Ontario
20	City of Halifax	Jane Pryor	Municipal Government	Nova Scotia
21	General Contractors Association of Canada	Giovanni Cautilo	Construction Association	Pan-Canadian
22	Canadian Construction Association	Mary Van Buren, Mario Baker, Rod Gilbert	Construction Association	Pan-Canadian
23	St Catharine's Community Benefits Network	Dennis Edell	Community Benefit Network	Ontario
24	Embers	Doug Aason	Construction Social Enterprise	British Columbia
25	Comité sectoriel de la main d'oeuvre en économie sociale et action communautaire (CSMO-ÉSAC)	Odette Trépanier	Training organization	Quebec

Appendix B: Interview Questions

1. What is your definition of a Community Benefit Agreement? Prompts:

- What do you see as the purpose of a CBA?
- Who does it serve?
- Do you have multiple definitions that might apply to different types of CBAs?

2. Which of these statements best captures your knowledge of CBAs?

- a) I don't know anything about CBAs.
- b) I have some knowledge of CBAs.
- c) I have a lot of knowledge of CBAs.
- d) I am an expert or leader in CBAs.

3. Which of these statements best captures your experience of working on CBAs?

- a) I have never implemented or worked on one.
- b) I have worked on a few CBAs. (e.g., 1 – 3 CBAs)
- c) I have worked on many CBAs. (e.g., 4+ CBAs)

4. Which of these statements best captures your opinion of CBAs and Why?

- a) I am in favour of CBAs as a tool to support apprenticeship and workforce diversity.
- b) I am agnostic/neutral on CBAs as a tool to support apprenticeship and workforce diversity.
- c) I am against CBAs as a tool to support apprenticeship and workforce diversity.

5. What are the key opportunities or benefits, if any, that CBAs offer to supporting apprenticeship and workforce diversity? Opportunities or benefits could be for employers, workers, communities, government etc.
6. What are the key barriers or challenges, if any, to CBAs supporting apprenticeship and workforce diversity? Barriers or challenges could be for employers, workers, communities, government etc.
7. Given the labour shortage in the construction sector, in your opinion what role could CBAs play, if any, in diversifying the labour force in the construction industry (including all types of jobs/roles on-site and off-site)?
8. Do you have anything else you'd like to share about your opinion on whether or how CBAs can(not) be used to support apprenticeships and workforce diversity?



Section 3: Policy and Literature Review

In order to establish a picture of the current landscape of CBAs both in Canada and internationally, and to better understand how and why some stakeholders support CBAs, and vice-versa, Buy Social Canada has conducted a Policy & Literature Review of Canadian and International research pertaining to CBAs and how they possibly support skilled trades, apprentices and/or diversity.

The development of comprehensive policies, frameworks, measurements, and reporting processes that help to analyse CBA projects is an emerging practice.

Policy, Programs & Frameworks Review

The following section includes examples of Canadian Federal, Provincial and Municipal and international examples of policy, programs, and frameworks. It also includes examples of CBA projects and Community Benefits Networks in Canada. It is notable that a large number of these policies and frameworks have been developed and implemented in the past 5 years. These policies and frameworks are based on a much longer period of pilot and testing, dating back over the last decade. The development of comprehensive policies, frameworks, measurements, and reporting processes that help to analyse CBA projects is an emerging practice. The policy and literature available should therefore be viewed with an understanding of the lack of extensive historical context. As a result of this lack of historical context, some of the limitations that apply to early learnings include a lack of consistent frameworks to apply and emerging reporting processes. Of note also is the significant and quick growth across governments and communities in the adoption and implementation of CBAs.

CANADA – FEDERAL

Infrastructure Canada (INFC): Community Employment Benefits Initiative

The Community Employment Benefits (CEB) initiative is part of the Canada Infrastructure Program, established in 2018.¹ Through this initiative, provinces and territories are encouraged to establish targets for

¹ *Infrastructure Canada, Community Employment Benefits General Guidance, 2018*

employment and procurement opportunities for projects above a certain cost. These targets aim to provide opportunities during the construction of a project for at least three groups (e.g. apprentices, women, Indigenous Peoples, persons with disabilities, youth, recent immigrants, veterans and small to medium sized social enterprises).

CANADA – PROVINCIAL

Ontario Infrastructure Jobs and Prosperity Act

In 2015, the Ontario Government passed the Infrastructure for Jobs and Prosperity Act to govern its 12-year \$160 million infrastructure spending plan. Contained within the Act was a commitment to leverage social returns through community economic benefit requirements. The Act stipulates that infrastructure projects should consider how the community could benefit from the project, including local hiring, apprenticeships and other specific benefits identified by the community. The province agreed to test CBAs on five projects. To date, the projects have included community consultations to determine what community benefits could be created in each project and the vague wording of the Act has caused some issues in the implementation process. Practitioners and project staff have reported inconsistencies in how community benefits are monitored and enforced as the Act does not contain policy direction on those matters. The province is set to review the policy upon completion of the pilots.

Ontario Metrolinx Community Benefits Framework

In accordance with federal and provincial directives, Metrolinx, a regional transportation agency of the Province, requires infrastructure projects to include a CBA that currently includes 3 major projects: the Hurontario LRT, Finch West LRT and Eglinton Crosstown LRT. The CBAs are project specific but have, to date, included aspirational commitments to local and social hiring as well as encouraging winning proponents to seek opportunities to purchase from local and social businesses. Metrolinx currently holds individual quarterly CBA roundtables on its three major projects: the Eglinton Crosstown Light Rail Transit Project, the Hurontario Light Rail Transit Project and the Finch West Light Rail Transit System. The quarterly meetings bring together

community groups, labour unions and project staff from Metrolinx and the General Contractor to assess procurement spending and hiring targets, discuss any problems with hiring and spend and to consider best practice for current projects.

British Columbia Community Benefit Agreements

In 2018 the Province of British Columbia created a Provincial Crown corporation, BC Infrastructure Benefits (BCIB), which signed a CBA with Allied Infrastructure and Related Construction Council of British Columbia (AIRCC). On projects where a Provincial CBA is applied BCIB operates as the employer for the project, while the labour supply is provided by the 19 unions represented collectively by the AIRCC, which functions as the unions' bargaining agent. Contractors who successfully bid on and win BC-CBA contracts have the opportunity to name-hire workers, as laid out in the BC-CBA. Workers become employees of BCIB and all employees must join an AIRCC union. (There is no requirement for an individual employed with a contractor to terminate their employment on becoming an employee with BCIB though there have been concerns raised by employees and contractors about how this will work in practice.)

In addition to establishing wages and other employment terms the BC-CBA sets out a hiring framework, BCIB also works on education, recruitment, retention and workplace culture issues. The BC-CBA is currently being applied on 4 projects in British Columbia.

The CBA has faced legal challenge from a number of industry groups in the Province who have made the argument that the CBAs unionization requirement violates workers' Charter freedom of association. These challenges were so far unsuccessful as the Supreme Court of British Columbia ruled that the court was not an appropriate forum for such a challenge.

An example of the concerns raised by some in the industry comes from the Progressive Contractors Association of Canada, "*We are an organization concerned about a fair and open procurement process and access to work, and this report raises serious questions about whether CBAs are used as a tool for excluding companies, labour models and individual workers—including those from underemployed groups,*" said Paul de

Jong, President of the Progressive Contractors Association of Canada (PCA). Nowhere is this more obvious than in B.C., where the province’s so-called “*Community Benefits Agreement*” governs many of its major infrastructure projects. This framework excludes 85% of B.C.’s construction workforce by granting a monopoly to a select group of favoured Building Trades Unions.

B.C. is the poster child for what a CBA should not be: ill-defined, expensive and exclusionary.²

The Greater Vancouver Board of Trade expressed concerns that the BC Community Benefits Agreement initiative will “*inevitably lead to higher cost and added complexity for public infrastructure projects, which will ultimately cost tax payers.*”³

CANADA – MUNICIPAL

City of Toronto Community Benefits Framework

In 2019, the City of Toronto passed the Community Benefits Framework. The Framework seeks to promote social and economic inclusion on projects where the City buys, builds or provides financial incentive for construction or remediation. The Framework was passed by the City in July 2019. The City will also develop a data tracking system for standardized reporting and has established an advisory group to monitor success, with the first meeting held in February 2021. In the coming months, the City will be creating smaller working groups for stakeholders and community groups who will provide support and guidance in the establishment of a City-wide framework. A report is due back to City Council in 2023.

City of Vancouver, Community Benefits Agreements Policy

Following a number of one-offs, like the 2010 Olympic Village construction in 2007, and the construction of a downtown casino in 2013, in 2018, the City of Vancouver passed a CBA policy. The policy mandates that community benefit outcomes be included for infrastructure and

2 <http://www.pcac.ca/new-report-an-important-contribution-to-discussion-of-cbas-in-canada/>

3 <https://biv.com/article/2018/07/public-infrastructure-projects-be-union-only>

construction projects requiring city rezoning on buildings larger than 45,000 m². The policy also allows smaller development projects that are not required to comply with the policy to “*opt-in*” to the policy requirements (with a lower standard of compliance requirement). The CBA process is a collaboration between communities, the development industry, and the City. The CBA policy mandates local targeted employment—making 10% of new entry level jobs available to people in Vancouver first (specifically those who are equity seeking). Local procurement—a minimum of 10% of local goods and services, and social procurement—a minimum of 10% of goods and services valuing the positive social and environmental impacts created by purchasing goods and services (including social enterprises and supplier diversity).

The City of Vancouver hired Buy Social Canada to support the implementation of the CBA Policy. Social Canada, acting as a third-party moderator, produced a CBA Toolkit of materials and provided secretariat services for a City-wide Advisory working group and CBA project specific sub-committees. The first project to trigger the CBA Policy is St. Paul’s Hospital re-development, this project has now hired an independent 3rd party monitor, Buy Social Canada, to support the implementation and reporting of the project, has begun to fill out the projection and report tools and is currently attending a monthly project specific working group attended by the City of Vancouver, Owner, General Contractor and Independent 3rd party monitor.

Canadian Community Benefits Networks and CBA Examples

Toronto Community Benefits Network (TCBN)

Toronto Community Benefits Network has worked to build a strong community labour partnership with a support base of workforce development agencies, learning institutions, and funders. TCBN envision Toronto as an inclusive, thriving city in which all residents have equitable opportunities to contribute to healthy communities and prospering economy. TCBN believes that a successful CBA model depends on sectors working together including:

1. Community partners,
2. Labour organizations,
3. Workforce development groups,
4. and Industry.

In TCBN's foundational documents, they describe the 5 key objectives of their current work to include: 1. provide equitable economic opportunities that promote economic inclusion through apprenticeships; 2. contribute to the integration of skilled newcomers into professional, administrative and technical jobs; 3 support social enterprises and other related vehicles to economic inclusion through commitments to social procurement; 4. contribute to neighbourhood and environment improvements through building new infrastructure; and, 5. ensure clear commitments and accountability from all parties to deliver to the CBA.

The initial focus of applying the CBA model is around transit expansion in Toronto. In April 2014, the TCBN signed a Community Benefit Framework, under which there is a legally binding agreement for a Community Benefit plan between the government (Metrolinx) and the contractor (Crosslinx Transit Solutions). The Framework provides a process to which the TCBN can hold the two parties accountable to the Community Benefit Plan. The TCBN remains committed to developing three-way legally binding CBAs in Ontario. TCBN continues to work on and advocate for a number of CBA projects in the Toronto region and also provides training and mentoring supports. TCBN is also delivering on a project funded by ESDC's Union Training and Innovation Program—diversifying Red Seal trades through community benefits project which includes partnering with Metrolinx, Laborers' International Union

of North America, Local 183, Ironworkers Local 721, City of Toronto Labour Education Centre, Sisters in the Trades and Crosslinx Transit Solution. This project is supporting key actions including diversity in the trades which in turn should help address the labour market pressures in the construction industry. This project includes supporting the implementation of targeted hiring goals, community engagement with target groups, integration of pre-apprenticeship pathways with construction pathways, occupational mentorship throughout the apprenticeship journey and developing employer leadership on welcoming workplaces. As of March 2021 the project was meeting the targeted goals.

Peel – Community Benefits Network

The Peel Community Benefits Network (PCBN) was born from an initiative of the Peel Poverty Reduction Strategy Committee (PPRSC), which is co-chaired by the Region of Peel and United Way Greater Toronto. PCBN's mandate is to: ensure that residents benefit from the economic opportunities that large infrastructure projects, like the Hurontario light rail transit (HuLRT) will bring to the community and actively engage stakeholders from business and non-profit organisations, the community, school boards, labour unions, etc. to create inclusive community benefit frameworks. Through this engagement, PCBN have developed a strong network that is committed to contributing and supporting a community benefits framework.

City of Hamilton – Community Benefits Network

The Hamilton Community Benefits Network (HCBN) works in partnership with community-based organizations, labour and other partners to implement CBAs that will advance the vision of an inclusive, accountable and thriving city. Currently, the HCBN is participating in negotiations with Metrolinx for a CBA on the Hamilton LRT Project. The HCBN is committed to negotiating a community benefit framework with several key objectives including the provision of equitable economic opportunities that promote economic inclusion through apprenticeships, the integration of skilled marginalized populations into professional, administrative and technical jobs, social enterprise support and other related vehicles to economic inclusion through commitments to social procurement, contribution to neighbourhood and environment

improvements through building new infrastructure, and ensuring clear commitments and accountability from all parties to deliver the CBA.

Windsor/Essex – Community Benefits Network

The Windsor/Essex Community Benefits Coalition (WECBC) comprises of volunteers from community organizations, local institutions, and regional residents who wish to have community benefits leveraged to better the lives of all people in the region. Currently, the WECBC is working on a community benefits plan for construction on the Gordie Howe International Bridge, a multi-billion dollar public-private partnership project, connecting Windsor, Ontario to Detroit, Michigan. In 2017, the WECBC hosted over 30 focus groups, public meetings and community engagement events collecting over 640 responses and 900 ideas about community benefits in Windsor-Essex. In early 2019, Windsor Essex Community Benefits Coalition undertook a second round of community engagement. The WECBC engagement took an equity lens to help bring a voice to marginalized populations in the community benefits process. Some key elements of the plan include educational opportunities, job training programs, creation of cycling infrastructure, creation of a legacy fund to support community benefits into the future, town and neighbourhood revitalization plans, protection of the Ojibway Shores Lands, and establishment of green spaces for community use.⁴

City of Ottawa – Community Benefits Network

The City of Ottawa has not adopted a formal community benefits framework. However, community groups are active in identifying CBA opportunities on two key projects, the Heron Gate and the LeBreton Flats. A proposal submitted for Heron Gate envisions a 20-year plan for the 20-hectare property with a mix of rental housing and market-units including townhouses, low-rise, medium-rise and a 40 storey high-rise building.⁵ Residents of the area have presented the contractor with a social contract and are hoping to secure a legally binding CBA. If successful, this would be the first in Ottawa.

⁴ *Community Benefit Submission on the Gordie Howe International Bridge, WECBC, 2019*

⁵ *Ontario Construction Secretariat Community Benefits Report, 2019*

The National Capital Commission (NCC) is working to develop a renewed vision and master concept plan for a 56-acre site called the LeBreton Flats. The Ottawa Community Benefits Network (OCBN), a grassroots network formed in June 2019 to advocate for the redevelopment of this land, is actively seeking a CBA for LeBreton Flats to ensure the development offers a range of housing, economic development initiatives for local enterprises and businesses, targets for local hiring and recruitment, community and environmental assets and other various environmental goals. The OCBN includes the Federation of Community Associations and United Way Eastern Ontario as formal allies.

Exchange Inner City Community Benefit Network

The Community Benefit Network CBN is a co-creative process where stakeholders including the City of Vancouver social policy and planning staff, inner city community members, social enterprises, businesses, and developers work together to determine and implement benefits for and articulated by the community on any new development projects in Vancouver's inner city neighborhoods. The CBN played an important role in developing the CBA for the City of Vancouver. Moving forward, the CBN will continue to promote social enterprises and social procurement for the purpose of CBAs, future thinking planning to support capacity building of social enterprises, and accountability to ensure social impacts are benefiting the local community. The City of Vancouver passed their CBA policy in 2018, the first new development to trigger a CBA is St Paul's hospital a multiyear project where the CBA will require developers to ensure 10% of new entry level jobs are available to people in Vancouver first specifically those who are equity seeking and purchasing a minimum of 10% of goods and services from local businesses and 10% social procurement. The CBN will continue to be a multi-stakeholder space to support implementation and advocate with and for the community when the CBA policy is up for review.

Manitoba – East Side Road Authority Community Benefit Agreement

The Manitoba East Side Road Authority CBA was a project to replace over 1000km of winter roads connecting 13—largely Indigenous—communities. The project is projected to cost \$3 billion over 30 years.

The project seeks to develop Indigenous businesses and include local Indigenous workers in the development of the project.

The CBA was signed in 2010 to establish contracts and training for community-owned construction companies for pre-construction work, and to achieve local hiring targets of 30% of total hours on road construction, and 20% of total hours for bridge construction.

INTERNATIONAL

Scotland: Community Benefits in Procurement

In 2014, Scotland passed the Procurement Reform (Scotland) Act. This Act drew upon previous community benefit legislative directives from its Community Benefits in Procurement (2003) and the Community Benefits Clause (2008).⁶ In its current form, the Act is designed to develop local workforces and provide social purchasing opportunities for social enterprises and local businesses. The Act stipulates that a CBA must be considered when a contract is valued at least £4 million.

The Community Benefits in Procurement Act began as a pilot project in five cities focused on targeted employment and training ending in 2014. The results of those pilots were largely successful with 2/3 of public organizations reporting using a community benefit clause. The Scottish Government has also developed further monitoring data to track community benefits through purchasing. The Government has also liaised with community stakeholders across the country to discuss and refine successful outcomes of the project for Scotland.

⁶ A note on terminology between a CBA and a Community Benefits Clause: A CBA is defined as a legally binding and enforceable contract between the government, developer and community (See above CBA definition, pg. 2). A community benefits clause refers to provisions found in a tender for a publicly funded project which require the contractor to deliver certain additional benefits for a project. In the case of a community benefits clause the community is not necessarily a formal signatory on the contract that address community impact.

Literature Review

The following Literature Review includes a select, annotated bibliography of both Canadian and International articles, reports and other writings on CBAs. It also includes a longer selection of additional readings. Again, interestingly we note, that the first significant literature to emerge is less than 10 years old, and the bulk of the review is from the past 3 years. There is a concentration of literature from academics in Australia, where the focus of employment diversity and inclusion through social procurement in construction had early and strong pilot efforts that were a crossover of private sector engagement, government employment and procurement policy, and interested researchers.

It should also be noted that given the significant and quick development of CBA policies, frameworks and implementation over the last 3 – 5 years that some views previously expressed by construction industry stakeholders has now shifted. There may, therefore, be disparity in views expressed by an organization in a 2015 report and a 2021 report. Where possible such a progression of views is highlighted.

Select, Annotated Bibliography

CANADA

2022

Canada's Building Trades Unions. (2022).

Community Benefits Agreements.

Keywords: Construction Sector, Recommendations, Canadian Examples

Canada's Building Trades Unions 2022 report "*strongly advocates*" for the inclusion of CBAs or Workforce Development Agreements in federally procured construction projects. The report includes examples of current CBAs across Canada and recommendations for the successful implementation of CBAs including 1) Mandating CBAs for Federally procured infrastructure projects 2) Establishment of an Office of Community Benefits Employment 3) Suggested targets (recognizing potential need for amendments) 4) Suggested Scope—projects over \$10 million be required to include CBAs

2021

Cardus. (2021).

Community Benefits Agreements toward a fair, open and inclusive framework for Canada.

Keywords: Construction sector perspective, Barriers, Case studies, CBA definition

Cardus, a Canadian thin-tank, provides an in-depth analysis of CBAs. It examines the genesis of the concept, suggests a workable definition and assesses its strengths and weaknesses. It also asks critical questions about the future direction of CBAs in Canada.

The report includes a discussion of related concepts to CBAs including social procurement programs, project labour agreements and impact and benefits agreements (which are most common in industries' dealings with First Nations), the overlapping goals that may exist in relation to workforce diversity and training opportunities and highlighting some of the differences in requirements and application.

The report concludes that while CBAs show promise for delivering social and economic benefits to individuals, communities and other stakeholders, current CBA models have serious flaws related to transparency, measurability and exclusion which must be addressed if they are to achieve their potential. This report received support from the Progressive Contractors Association of Canada.

Let's Build Canada, Abacus Data. (2021).

Survey: Construction Workforce's Top Election Priorities.

Keywords: Survey, Construction sector perspective, Apprenticeships

Survey conducted by Abacus Data, commissioned by Let's Build Canada, in 2021 finds that construction workforce's top election priorities included supports for workers and labour mobility. The survey found that 84% of workers surveyed wanted to see more CBAs on federal infrastructure projects and 89% wanted to see more financial support for apprenticeships from the government. Survey respondents were Building Trades members, a unionized sector of the workforce.

Toronto Community Benefits Network. (2021).

Policy Brief: Career Track in Construction: Identifying Skilled Workers through a Standardized Apprenticeship Readiness Curriculum and a Transparent Employment and Tracking System.

Keywords: Hiring targets, Labour supply, Capacity building, Monitoring, Ontario

Toronto Community Benefits Network writes that while community benefits requirements in government policy have signaled that targeted hiring of equity seeking groups must occur on major infrastructure projects they procure, a reliable pathway for skilled candidates that is acknowledged and validated by contractors, subcontractors, unions and community remains to be built. The report identifies that CBAs can be used to achieve both the social goals of job creation for diverse individuals and to help meet the construction sector in addressing the labour supply challenges that they are currently facing. The report notes the importance of clear pathways through which service providers, job seekers, and employers are able to identify and connect with each other. Guided by the research TCBN have developed an apprenticeship readiness curriculum and employment monitoring and tracking system for continued use and development on CBAs in Ontario.

2020

Cautillo Giovanni, Ontario General Contractor's Association. (2020).

OGCA viewpoint: What are Community Benefits anyway?

Keywords: Ontario, Construction Association, CBA definition, aspirational targets

Cautillo says that CBA provisions are becoming, and will continue to become more prominent as infrastructure and construction projects grow, suggesting that it is incumbent on contractors to know and understand how these requirements will affect them. Getting CBAs right is essential to ensuring they have meaningful and relevant benefits and they should not just be “downloaded onto the contractor to figure out”.

The article suggests that in an ideal scenario a CBA would facilitate new entries into construction from currently underrepresented groups.

The article provides some suggestions for what positive CBAs should incorporate, including an outside organization as the starting point for diverse groups to access—ensuring the individuals are connected to appropriate opportunities—matching the roles with availability and the skill-set of the individual. The article also suggests that a hard-targets (without consultation) and penalty based approach is less optimal than an engaged and incentives based approach which includes looking at the reality of the available demand and supply.

Inclusive Recovery. (2020).

CBA FAQs.

Keywords: Advocacy, Intermediaries, CBA campaign

The Inclusive Recovery Campaign is a group of organizations including Community Benefits Networks and labour groups, from across Canada who believe that it is imperative that government leaders leverage CBAs to create local workforce and business opportunities for equity-seeking groups. The Inclusive Recovery website includes information about CBAs across Canada with a series of Frequently Asked Questions including “*What are Community Benefits*”, “*What are Community Benefits Agreements*” and “*Are CBAs currently used in Canada?*”

Office of the Procurement Ombudsman, Government of Canada. (2020).

Social Procurement: A study on supplier diversity and workforce development benefits.

Keywords: Government of Canada, Existing initiatives, CEB

This study provides an overview of key success factors for organizations seeking to adopt social procurement practices, specifically with regard to increasing supplier diversity and integrating workforce development benefits into their procurement processes. The study recognizes that while the Government of Canada has acknowledged the importance of incorporating social procurement considerations into its procurement practices and has made some initial progress with initiatives such as the Procurement Strategy for Aboriginal Business (PSAB) and the Community Employment Benefits Initiative, that much more work remains in order to fully realize the government’s commitments in this

area. The report offers a robust set of implementation guidelines and recommendations, that includes leadership, goals alignment, collaboration, diversity certification options, demystification, training, tools and resources, and evaluation feed back loops with purchasers and suppliers.

2018

Progressive Contractors Association. (2018).

Money Well Wasted.

Key words: BCIB, BC Government CBA, Anti-BCIB CBA Campaign

The Money Well Wasted campaign is run by the Progressive Contractor's Association of Canada. The goal is to put a stop to the BC Government's rules for building public infrastructure. The campaign includes advocacy, social media campaigns and research. The campaign claims that the BC CBA has not delivered on its promises that the CBA would result in more employment for women, Indigenous people and youth, and bring more benefits to local communities. It claims that it's costing taxpayers hundreds of millions of dollars more to build roads and bridges and is forcing workers to join and pay dues to select government unions in order to build public projects.

2016

Atkinson Foundation. (2016).

Making Community Benefits a Reality in Ontario – Policy Brief.

Keywords: hiring targets, Capacity building, Training pathways, Ontario

Ontario has a tremendous opportunity to make progress on social and policy goals by improving its procurement policies. By requiring community benefits as part of certain government spending, it is possible to increase the impact of those dollars. This opportunity can be seized or squandered depending on what policies are introduced. The experiences of the United States and the United Kingdom suggest that Ontario faces three key challenges: avoiding ineffective policies, meeting hiring targets, and providing sufficient support and capacity to implement community benefits. This briefing note identifies ways to address those challenges, along with priority actions for

the government and stakeholders including recommendations that community benefit policies should be mandatory and apply across government, with measurable targets and penalties for noncompliance, that in order to meet demand and build capacity a construction workforce development pathway to train and support job seekers and connect them to employers should be created, and that community coalitions/networks should be identified and supported.

Dragicevic, Nevena, and Ditta, Sara. (2016).

“Community Benefits and Social Procurement Policies: A Jurisdictional Review,” The Prosperous Province: Strategies for Building Community Wealth.

Keywords: Leadership, Role of intermediaries, Diversity

Dragicevic and Ditta have traced the adoption and inclusion of community benefits and social procurement across Ontario and have argued that successful adoption of these policies requires strong, committed leadership. Citing international precedent, the authors argue that strong, functioning intermediaries who are able to communicate stakeholder interest in government policy and solidify the supply-side to sell to public bodies, are necessary for implementation to be successful. The authors contend that the more diverse these intermediary stakeholders are, the better true socio-economic value is ascertained and the more robustly the impact of community benefits and social procurement are measured.

2015

Galley, Andrew Mowat Centre and Atkinson Foundation. (2015).

Community Benefit Agreements, The Prosperous Province, Strategies for building community wealth.

Keywords: Community wealth, Local context, Targets, Monitoring and compliance, Ontario

This report is part of a research series, The Prosperous Province: Strategies for Community Wealth—intended to support informed discussion and guide decision-making in the emerging field of community wealth-building. This report, recognizing the scale of investment (billions of dollars) in infrastructure ranging from transit expansion to new

roads and repairs to existing bridges and an influx of public and private capital in land developments designed to meet housing demand and build up underused areas, explores CBAs as a method for community wealth building. The report recognizes the localized contexts of many CBAs noting that community coalitions usually draw their membership and build their base for advocacy from neighborhoods directly surrounding significant projects. The report includes insights on trends found across different CBAs including an overview of the elements often, but not always, discussed during CBA negotiations including employment, housing and other community benefits. The report notes that as CBAs deliver demonstrable results, some groups have been able to progress from project by project negotiations towards campaigns to institutionalize benefits into across the board development practices. The report notes that upon review of some CBA examples setting targets and clearly measuring success and compliance are two important elements of a successful CBA. The report concludes with some next step questions to continue the discussion around the growth and sustainability of CBAs in Ontario.

INTERNATIONAL

Australia

Loosemore, M., & Reid, S. (2019). *The social procurement practices of tier-one construction contractors in Australia. Construction Management and Economics, 37(4), 183-200.*

Keywords: Government contracts, Targeted hiring, Fiscal considerations, Australia

Loosemore and Reid's primary contribution critiques the Australian government's limited scope of generating value within a contract. According to the authors, fixating on value creation apart from lowest spend has been treated with particular suspicion as a deterrent to financial prudence for both the government and construction sector. In the piece, Loosemore and Reid identify that under-represented and/or disadvantaged groups are often excluded from procurement opportunities and identify how techniques like unbundling contracts and targeted hiring can create more employment and purchasing opportunities while maintaining a commitment to low-spending.

Loosemore, Martin. (2019).

Social Procurement in the Construction Industry: Challenges and Realities.

Keywords: Social procurement, Construction sector, Culture, Barriers, Australia

In this presentation for the Swinburne University of Technology the author contends that construction is a major focus of social procurement policy because of the size of the industry, predicted skills shortages and the range of skilled and unskilled jobs available. However, the author identifies many challenges to working in the construction industry including its high risk nature, risk-shifting culture and highly commercial and cut-throat nature. Some of the key barriers to social procurement identified include a lack of social procurement experience, negative perceptions of social benefit organizations and a lack of engagement between these organizations, resistance to change and a construction industry culture of being “commercial, macho and hard-nosed” as opposed to social being “intangible, soft and fluffy”.

Sweden

Troje, D. (2021).

Policy in Practice: Social Procurement Policies in the Swedish Construction Sector, Sustainability.

Keywords: Implementation, Construction sector perspective, Target groups, Sweden, Challenges

The author discusses the background to social procurement and its connection to the construction sector. The author through interviewing key actors in the Swedish construction sector and through reviewing policy-in-practice literature concludes that while social procurement policies can mitigate issues connected to social exclusion, unemployment and segregation, and the construction sector holds opportunities to be an appropriate sector for social procurement, there is currently a misalignment between social procurement policies, the sector and its existing practices, and the target group and their skills and needs. The author suggests that there is a need for co-creation of shared policy goals and practices that mesh with the existing practices of the sector, and that more resources are needed to increase implementation capacity.

United Kingdom

Loosemore, M, Bridgeman, J, Russell, H, Alkilani Suhair, Z. (2021).
Preventing Youth Homelessness through Social Procurement in Construction: A capability Empowerment

Keywords: Youth, Homelessness, Employment Programs, UK

Loosemore et al. explore the growing problem of homelessness in the UK, an issue exacerbated by COVID 19. Employment is widely recognized as being critical to reducing homelessness, but there has been little research into the role that the construction industry, a major employer in the UK, can play in reducing this problem. In this paper the authors explore the role that construction employment can play in reducing the risk of homelessness, utilizing an in-depth case study of a construction employment program in Wales, UK which was aimed at supporting young people who had experienced or who were at risk of homelessness. Contributing to the emerging social value and social procurement debate in construction and drawing on documentary analysis and interviews with young people who were homeless or at risk of homelessness who went through the program, findings indicate that these young people became empowered in ways which reduced their risk of homelessness. It is concluded by the authors that the capabilities empowerment framework is valuable in explaining how employment in the construction industry can reduce the risks of homelessness for disadvantaged youth with a care-experienced background or who were known to the criminal justice system.

United States

Williamson, Alex. (2021).

Which Community Benefits Agreements Really Delivered?
Shelterforce online magazine.

Keywords: Community engagement, Enforcement, Monitoring, United States

In this article the author looks back at several cities where CBAs were agreed upon to find out where those agreements now stand. The report explores and analyzes a number of CBAs looking at whether the employment and other community benefits agreed upon prior to the project have been fulfilled. The report notes that one of the key

takeaways from an unsuccessful CBA was the lack of oversight, while the CBA required the developer to hire an independent compliance monitor to report on the agreement's progress, this was not enforced and the monitor was not hired. A second CBA reviewed highlights the importance of a community LED and involved process for identifying local needs. Two key highlights from the report include the importance of community engagement and involvement and of an enforceable process with monitoring.

Additional Reading

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