

Policy Matters Ohio



The ABCs of CBAs

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What is a CBA?

- A CBA, or community benefits agreement, is a *legally binding contract* (or set of related contracts), setting forth a range of community benefits regarding a development project, and resulting from *substantial* community involvement.¹
- A CBA is a written contract that specifies the benefits that the developer will provide to the community in exchange for the community's support of its proposed development.²

Yale University Cancer Center



Photo source:
www.commondreams.org

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Yale New Haven CBA³

- \$1.2 million for housing and economic development in the area surrounding the hospital.
- Hire 500 area residents over a five year period.
- Establish a training program that includes at least 50 career ladder opportunities and \$300,000 in funding per year
- \$100,000 per year for a minimum of five years to the City of New Haven's Youth Initiative.
- Establish a Citizen's Advisory Committee to review issues and advise on "free care" policies.
- Fund two outreach positions--one for asthma and one for uninsured children--through the City
- Initiate and fund a comprehensive program aimed to reduce by 10% the number of employees that drive to work.
- Register for LEED (Leadership in Environmental and Energy Design) Certification.

Elements of a CBA¹

- A CBA is a *legally enforceable contract*.
- A CBA concerns a *single development project*.
- A CBA addresses a *range of community interests*.
- A CBA is the product of *substantial community involvement*.

Core CBA Values¹

- **Inclusive:** The CBA negotiation process provides a mechanism to ensure that a broad range of community concerns are heard and addressed prior to project approval
- **Accountability:** Promises made by redevelopment agency staff, public officials, and developers regarding community benefits should be treated seriously, made legally binding, and enforced against the party that committed to them.
 - CBA commitments should be **specific and enforceable.**

Good Jobs and Livable Neighborhood Coalition³

*9 to5 National Association of Working Women*AFSCME District Council 48
*AFT Local 212•Arlington Court Resident Organization * CommunityAdvocates
*Great Waters Group of the Sierra Club *Harambee Ombudsman Project, Inc.
*Hillside Neighborhood Residents Council *Institute for Wisconsin's Future
*Interfaith Conference of Greater Milwaukee *Metro Milwaukee Fair Housing
Council *MICAH- Inner city Congregations *Milwaukee County Labor Council
*Northcott Neighborhood House, Inc. *Painters Local 781 *St. Benedict
Community Meal *St. Benedict the Moor Catholic Church * United Auto Workers
Local 469 * United Lodge 66, Machinists Union * Urban Underground*Wisconsin
Citizen Action * Wisconsin Council on Children and Families •*Wisconsin
Federation of Nurses and Health Professionals * Women and Poverty Public
Education Initiative

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Community Benefits Commitments

- **Project Labor Agreement**
 - Agreement to set wages and work rules prior to bidding on projects. Non-union contractors may bid on the project, but they must pay the wages and benefits outlined in the agreement.¹
- **Community Workforce Agreements**
 - Cleveland University Hospital entered into a Community Workforce Agreement with the Cleveland Building and Construction Trades Council (CBCTC) for the \$1.2 billion Vision 2010 plan.³
- **Key Distinction:**
 - Negotiated and Signed by UNION and EMPLOYER

Community Impact Report

- **A community impact report *ordinance***
 - Creates a process through which everyone—community leaders, developers and local officials—has access to the development process and vital information regarding proposed projects
 - Establishes a formal process for considering the public costs of proposed projects
- **Key distinctions:**
 - Ordinance
 - Information

Sources

1. Julian Gross, *Community Benefits Agreements: Definitions, Values, and Legal Enforceability*, (Journal of Affordable Housing, Fall 2007/Winter 2008), available at <http://www.communitybenefits.org/downloads/CBAs%20Definitions%20Values%20and%20Legal%20Enforceability.pdf>
2. Julian Gross, Greg LeRoy and Madeline Janis-Aparicio, *Community Benefits Agreements: Making Development Projects Accountable*, (Good Jobs First 2005), available at <http://www.goodjobsfirst.org/pdf/cba2005final.pdf>.
3. Partnership for Working Families at <http://www.communitybenefits.org/article.php?id=1468>.