

2.29.170 - Department of Race and Equity (Ord. No. 13442, § 2, 6-27-2017)

The Department of Race and Equity of the City of Oakland will intentionally integrate, on a citywide basis, the principle of “fair and just” in all the City does in order to achieve equitable outcomes for all people and communities.



City of Oakland



Legislative Background

- On August 17, 2018, the City Council passed Resolution No. 87293 C.M.S. calling for an equity impact analysis and public process to advise the creation of a general PLA for the City of Oakland.
- Department of Race and Equity conducted multiple community sessions on the topic. The report from these sessions was completed in September 2019 by Junius Williams Consulting, and is included as Attachment B to 9/21/21 Council Report.
- The racial equity impact analysis did not proceed at that time because of lack of access to building trade locals' membership data disaggregated by race and gender.
- The City did, however, participate in an informal convening of Bay Area agencies by the Building Trades that resulted in ongoing inter-agency conversations about PLA concerns.
- This group went on to commission a study by Estolano Advisors (EA) and their report, Improving the Effectiveness of Project Labor Agreements, was included as Attachment A in the 9/21/22 Report to Council.

Unemployment (Economic Policy Institute's State of Working America Data Library)

Select cuts: Gender Race Age Education

Unemployment is the share of the labor force without a job.

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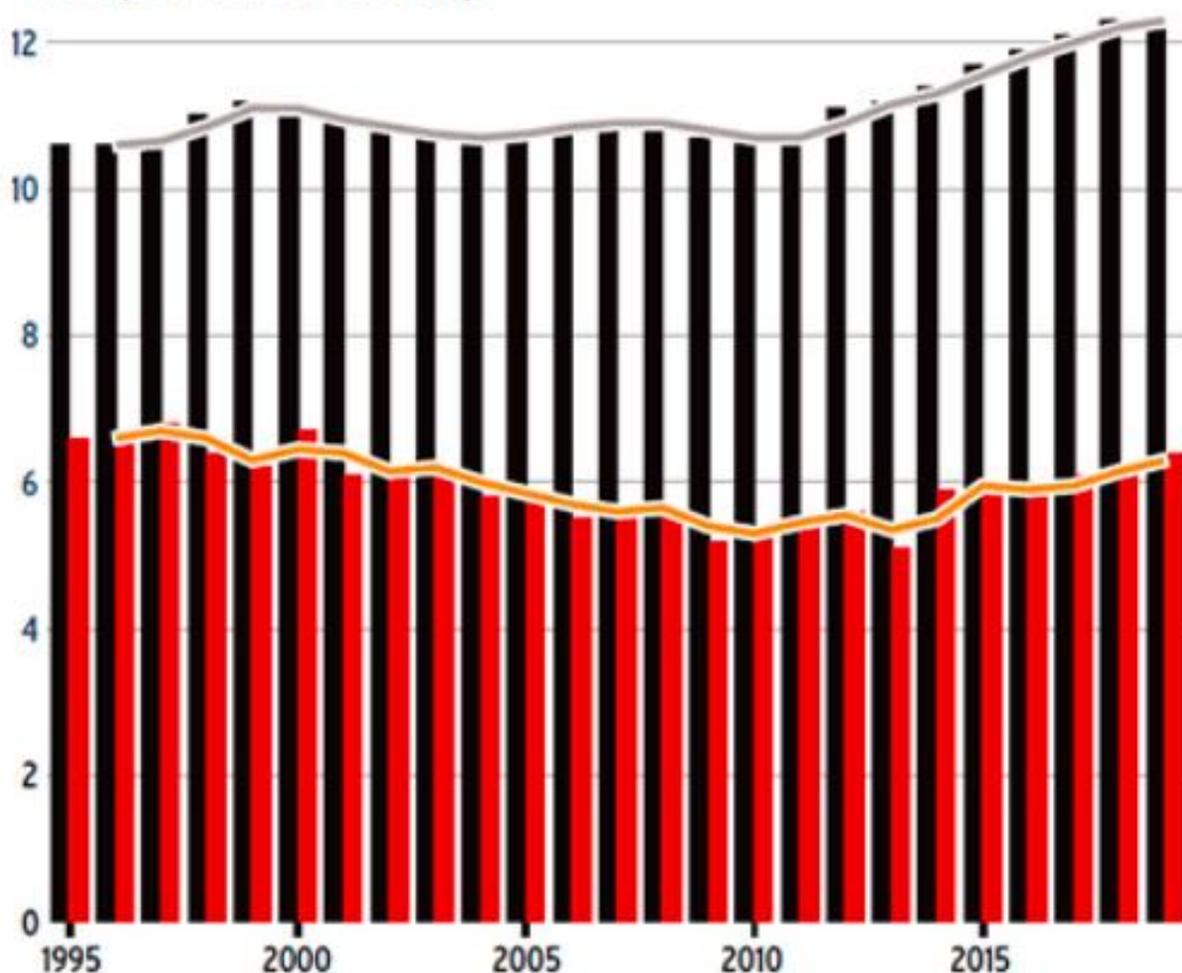


Date	↓↑	All	↓↑	Black	↓↑	Hispanic	↓↑	White	↓↑
Feb-2022		5.0%		8.2%		6.1%		3.9%	
Jan-2022		5.2%		8.4%		6.5%		4.0%	
Dec-2021		5.3%		8.6%		6.8%		4.2%	
Nov-2021		5.6%		8.9%		7.2%		4.4%	
Oct-2021		5.8%		9.2%		7.5%		4.6%	
Sep-2021		6.0%		9.4%		7.7%		4.7%	
Aug-2021		6.2%		9.7%		8.1%		4.9%	
Jul-2021		6.5%		10.1%		8.4%		5.1%	
Jun-2021		6.9%		10.6%		9.0%		5.5%	

BLACK WORKERS UNDERREPRESENTED IN CONSTRUCTION

Though Black workers comprise about 12% of the entire nationwide workforce, Black industry leaders say lack of training opportunities and systemic racism has kept the number of Black workers in construction roughly at a flat 6% for 25 years, from 1995 until today.

- ALL INDUSTRIES
- CONSTRUCTION
- ALL INDUSTRIES TREND
- CONSTRUCTION INDUSTRY TREND



SOURCE: THE BUREAU OF LABOR STATISTICS

Systemic and Institutional Racism



A pattern of social institutions; such as governmental organizations, schools, banks, and courts of law, perpetuating negative treatment toward a group of people based on their race. Institutional racism leads to inequality in opportunity and inequity in life outcomes.

Eq-ui-ty (*ek-wi-tee*), noun

- Just and fair inclusion



EQUALITY



EQUITY

- An equitable society is one in which all can have access, participate and prosper.
- The goals of equity must be to create conditions that allow all to reach their full potential.
- Ultimately equity requires system change that removes historical barriers to opportunity.

Racial Equity = Change Action

- Define the problem as structural/systemic
- Center race and the most impacted groups
- Use disaggregated data to identify disparities
- Listen to impacted community to understand the root causes of disparities
- Identify how systems' policies and practices contribute to inequity
- Change policies and practices to reduce harm, remove barriers to opportunity, and close racial disparities
- Track progress with meaningful measures



Equity Impact Analysis

- A Racial Equity Impact Analysis is a data driven, structured problem solving approach that also examines benefits and burdens on communities most impacted by racial disparities, in designing and vetting potential solutions by:
- Challenging status quo assumptions, decision making processes, and increases level of accountability to community
- Using data to inform the definition of the problem and to daylight racial disparities related to the subject
- Establishing desired racial equity outcomes related to the subject area
- Engaging communities most impacted to clarify the root causes of problem and existing disparities
- Using both information from community and data related to the topic to shape strategy recommendations for maximum benefit and minimum harm to communities of color
- Identifying how racial equity progress will be tracked/measured over time and how we will report back to the community and other stakeholders
- Building a strong case for re-allocation of resources, changes in policies, and or the establishment of new approaches to achieve improved conditions for Black, Indigenous and People of Color, and reductions in racial disparities

PLA Disparities in Participation

The EA report identified numerous disparities in participation under PLAs as currently designed and administered. They analyzed a sample of trade local membership provided by the 10 out of 28 trade affiliates that responded to their data survey in July 2020 with the following results and conclusions:

- Journey workers represented 79% of the current members in the data sample, whereas 21% represented Apprentices.
- 98% of the current members in the data sample are male.
- 25% of the members live in Alameda County, followed by 14% in Contra Costa County, and 8% in Solano County.
- Members in the data sample represented 54% white, followed by 35% Hispanic/Latino, 5% Black, 3% Asian, and 4% listed as other or unknown.

Data to measure impact is Critical to Advancing Equity



System Driven Equity Gaps (root causes)

- Persistent under-representation of Black and female building trade union membership
- Vastly different, opaque, and sometimes subjective entry processes for each trade
- Disparities in representation and success rates in apprenticeship programs, particularly for Black and female participants
- BIPOC members disproportionately found in lower paid apprenticeship programs
- Small/ local contractors functionally shut out of City contracting under PLAs
- Poor/inconsistent gathering and reporting of race and gender membership in the building trades
- Ineffective/inconsistent monitoring and enforcement of contractor obligations
- Inconsistent/low funding levels for pre-apprenticeship programs
- Poor/inconsistent data collected for pre-apprenticeship programs
- Unwelcoming worksite culture for under-represented groups, lack of mentorship support for underrepresented groups
- Lack of public accountability for equity outcomes of PLA provisions

Department of Race and Equity Council Report Recommendations

The challenges, barriers and shortcomings in current conditions laid out here imply the need for a complete redesign of the peace and labor agreement approach. The following implementation steps can be taken immediately:

- Opt in to participate in Phase II Implementation collaboration with the San Francisco Foundation, Estolano Advisors and regional PLA involved agencies to develop a new model that could be adopted consistently and then use that template to design the City of Oakland's approach.
- Meanwhile, locate resources for establishing a public facing City of Oakland dashboard for equity performance of existing PLAs with the information that is currently available and place holders for missing data.
- Establish a minimum requirement that building trade locals provide membership data disaggregated by race and gender to enable the identification of equity outcome goals to be achieved by the agreement prior to its finalization. If necessary, restrict participation in the agreement to only locals that comply with this equity requirement.
- Review and strategize to meet necessary staffing levels in the Department of Workplace and Employment Standards, to assure vigorous monitoring and enforcement of current and future agreement requirements
- Support the CAO to initiate a public PLA design process by establishing a multi-disciplinary Task Force to explore provisions to be moved forward for an equitable PLA for the City of Oakland.