

HAMILTON COMMUNITY BENEFITS NETWORK

Building Capacity Through Building Communities



Our Vision and Commitment

The Hamilton Community Benefits Network envisions an inclusive, thriving city in which all residents have equitable opportunities to contribute to building healthy communities and a prospering economy. Community Benefit Agreements (CBAs) are a proven approach to achieve this vision.

A CBA will help ensure that a skilled workforce is ready and available for the completion of private and public infrastructure projects by tapping into the capacity of Hamilton's diverse communities. A CBA will contribute to the establishment of a shared framework for workforce development that ties together community-based organizations, governments, colleges, training agencies, local unions, professional societies and subcontractors involved in the trades, professions, and ancillary industries.

By contributing to the capacity of the training and workforce development system to work in a coordinated and collaborative manner today, a CBA will foster a long term commitment to workforce development through existing training delivery agencies and union training programs.

HCBN OBJECTIVES

PROVIDE EQUITABLE ECONOMIC OPPORTUNITIES THAT PROMOTE ECONOMIC INCLUSION THROUGH APPRENTICESHIPS

CONTRIBUTE TO INTEGRATION OF SKILLED MARGINALIZED WORKERS INTO PROFESSIONAL, ADMINISTRATIVE, TECHNICAL JOBS

SUPPORT SOCIAL ENTERPRISES AND ECONOMIC INCLUSION THROUGH COMMITMENTS TO SOCIAL PROCUREMENT

CONTRIBUTE TO NEIGHBOURHOOD AND ENVIRONMENT IMPROVEMENTS THROUGH BUILDING NEW INFRASTRUCTURE

ENSURE ACCOUNTABILITY FROM ALL PARTIES TO DELIVER THE CBA

HAMILTON NEEDS A COMMUNITY BENEFITS PROTOCOL

- Establish legislative bases for provision of community funds
- Establish the types of development covered by the framework
- Demonstrate equity and fairness in fund allocation among communities
- Show community members that they are being treated fairly
- Avoid delays
- Avoid 'negotiating from scratch' each time a proposal is made
- Provide a framework for dispute resolution and enforcement
- Avoid inconsistencies between agreements in different areas
- Provide guidance on the types of initiatives that can be funded
- Ensure every City entity dealing with capital projects approach community benefits consistently
- Provide greater transparency
- Ensure increased goodwill among local stakeholders
- Provide guidance on how CBAs should be administered/managed

To expedite the process for designing a Community Benefits Protocol, the City of Hamilton should:

- Gather suggestions and guidance from actors who have previously developed community benefits protocols, such as the Hamilton Community Benefits Network and any of its 30 community and labour organizations, Metrolinx, the Cities of Toronto and Vancouver, and several cities in the USA
- Put priority on an inter-divisional Community Benefits Protocol working group to meet regularly and emphasize the importance of creating the protocol quickly and efficiently
- Assess opportunities to support the development of the protocol with Hamilton area social services organizations
- While developing the City-wide Community Benefits Framework, the City of Hamilton should immediately focus on developing interim CBA regulations for those major development projects which are currently in the planning phase and may miss opportunities for embedding CBAs over the next two years



Community Benefit Agreements

A CBA is founded on a shared, legally binding commitment between government, the contracting firm and community to build and complete public infrastructure projects through an effective, efficient, transparent, fair and inclusive process that supports good jobs and prevailing industry standards.

The initial focus of applying the Community Benefit Agreement model is around transit expansion in Hamilton. The HCBN has entered into negotiations with Metrolinx for a CBA on the Hamilton LRT Project. The HCBN is committed to negotiating a Community Benefit Framework, under which there is a legally binding agreement for a Community Benefit plan between the government (Metrolinx) and the successful contractors, and sub contractors being selected through the Infrastructure Ontario, Metrolinx, and the City of Hamilton RFQ/RFP process for the complete execution of the Hamilton LRT Infrastructure Project and operation and maintenance of LRT system.

The Framework provides a process to which the HCBN can hold the four parties accountable (IO, Metrolinx, City of Hamilton & Project Co/Subs) to the Community Benefit plan. The HCBN remains committed to developing three-way legally binding Community Benefit Agreements in Ontario.

Members and Partners of HCBN...

- ACORN Hamilton
- Beasley Neighbourhood Association
- Carpenters Local 18
- Congress of Union Retirees of Canada Hamilton Chapter
- Corktown Neighbourhood Association
- Crown Point Planning Team
- Environment Hamilton
- Eva Rothwell Centre
- Food Share Hamilton
- Gibson/Landsdale Neighbourhood Association
- Hamilton – Brantford Building & Construction Trades Council
- Hamilton Centre for Civic Inclusion
- Hamilton District Labour Council
- Hamilton Steelworkers Area Council
- USW Local 1005
- Hamilton Tenant's Rights Association
- IBEW (Electrical Workers) Local 105
- Immigrants Working Centre
- **Ministry of Advanced Education and Skills Development** (*with their local partners College Boreal, Grand River Education and Training, Hamilton Regional Indian Centre, HWCDSB, HWDSB, Workforce Planning Hamilton, YMCA*)
- Mohawk College
- Niagara Peninsula Aboriginal Area Management Board
- Polytechnics Six Nations
- Sherman Hub Neighbourhood Association
- Social Planning Research Council
- Stinson Community
- United Way Hamilton & Halton
- YWCA

A LITTLE BIT OF BACKGROUND

CBA's Can Affect Systemic Change

CBA's are uniquely important and should not be confused with other types of benefits or informal community agreements. HCBN applauds the City for everything it does in the name of community benefits, but we would like to clarify how a formal CBA is different.

Let's start with a good simple definition from a 2005 book by Julian Gross of California, an attorney and community activist:

Community Benefit Agreements (CBAs) — deals between developers and coalitions of community organizations, addressing a broad range of community needs — are safeguards to ensure that affected residents share in the benefits of major developments. They allow community groups to have a voice in shaping a project, to press for community benefits that are tailored to their particular needs, and to enforce developer's promises.

(Community Benefits Agreements: Making Development Projects Accountable, 2005, Julian Gross Published by Good Jobs First and the California Partnership for Working Families)

Many informal agreements may be struck in good faith, but without formal CBAs setting out negotiated targets and machinery for implementing them there are no guarantees.

In massive infrastructure projects where billions of public dollars will be spent the best time to ensure residual benefits for community is before a single shovel goes into the ground.

A CBA should not be confused with Section 37 benefits arising from negotiations with developers seeking exemptions from zoning restrictions. HCBN supports the effective use of Section 37 agreements but they are not CBAs. A true CBA includes targets defined by the community, timelines to produce systemic change, and machinery to monitor and enforce them.