

ATTACHMENT __

TARGETED HIRING POLICY

Owner's Targeted Hiring Policy for the Parking Garage Expansion component of the Fresno Yosemite International Airport Expansion Project aims to target employment and training opportunities to disadvantaged neighborhoods and workers in the local community.

The Design-Build Contractor and all subcontractors shall implement and comply with the Targeted Hiring Policy for this project. In addition, the Project Labor Agreement for the project contains specified steps by which applicable trade unions will facilitate contractor compliance with the Targeted Hiring Policy.

I. Definitions (for purposes of Targeted Hiring Policy only)

<u>Construction Trade</u>	A construction trade classification as established for prevailing wage payment requirements by the California Department of Industrial Relations.
<u>Contractor</u>	A contractor of any tier that employs individuals to perform Project Work.
<u>Local Resident</u>	Tier 1 Local Residents and Tier 2 Local Residents.
<u>Percentage Goals</u>	The goals indicated for employment of Local Residents and Disadvantaged Workers described in the "Percentage Goals" section below.
<u>Project Work</u>	Construction work performed pursuant to the Design-Build Contract for the Parking Garage Expansion.
<u>Disadvantaged Worker</u>	A qualified individual who is a resident of Fresno County and who meets one or more of the following barriers to employment: (1) is a veteran or the eligible spouse of a veteran of the United States Armed Forces; (2) exited the foster care system within the previous five years; (3) formerly incarcerated; (4) is a current recipient of governmental assistance benefits; and (5) is a custodial single parent.
<u>New Apprentice</u>	A Local Resident who first enrolled in a state-registered apprenticeship program at time of commencement of Project Work, or within 12 months prior to commencement of project work.

<u>Tier 1 Local Resident</u>	A person residing in the City of Fresno and in the top 5% of disadvantaged communities per CalEnviroScreen 2.0. (See attached map.)
<u>Tier 2 Local Resident</u>	A person residing in Fresno County or Madera County and in the top 5% of disadvantaged communities per CalEnviroScreen 2.0. (See attached map.)

II. Percentage Goals

Owner has established the following goals for each Contractor, for performance of Project Work in each Construction Trade:

a) For journey-level workers:

- at least 30% of Project Work hours shall be performed by Local Residents;
- at least 10% of Project Work hours shall be performed by Disadvantaged Workers.
- Hours worked by an individual who is both a Local Resident and a Disadvantaged Worker may be credited toward satisfaction of both percentage goals.

b) For apprentice-level workers:

- At least 40% of Project Work hours performed by apprentices shall be performed by New Apprentices, with first priority in hiring decisions to Tier 1 Local Residents, and second priority to Tier 2 local residents.
- The City is considering additional hiring goals for apprentices with less than 15% of the required graduating apprenticeship hours

III. Contractor Hiring Responsibilities

Each Contractors shall follow the following hiring processes in making a good faith effort to satisfy each of the Percentage Goals. Making good faith efforts requires a Contractor to follow the following hiring process. The Project Labor Agreement will contain relevant provisions regarding core worker hiring and union hiring hall commitments.

Assignment of existing crew members:

Union-Signatory Contractors: Contractor shall assign any existing crew members that fit the Percentage Goal categories, until Percentage Goals are satisfied. (If Contractor cannot satisfy Percentage Goals through assignment of existing crew members, then Contractor shall use union hiring hall referral system described below for any workers needed to hit goals.)

Non-union Contractors: For first __ hires: abide by the core worker restrictions and _/_ alternating hiring process described in Project Labor Agreement. When assigning existing crew members to the job as core workers as per Project Labor Agreement, Contractor shall prioritize assignment of crew members that fit Percentage Goal categories. For hiring hall positions within the _/_ alternating hiring process, Contractor and union hiring hall shall use the referral system described below.

Union Hiring Hall Referrals:

When a Contractor requests workers from the union hiring hall, it uses the craft request form attached to the Project Labor Agreement, indicating any categories of workers needed to satisfy the Percentage Goals. (If Contractor has already met the percentage goals at time of request, it instead makes a general request to the union hiring hall.)

When union hiring hall receives a craft request form indicating a needed category of worker, it refers a worker in that category, regardless of place on the hiring hall list.

If the union hiring hall has not sent sufficient workers in the requested category within two business days, the Contractor must request a worker in that category from other sources designated by Owner, including local pre-apprenticeship programs. Such sources include Jumpstart; the Fresno, Madera, Tulare, Kings Building and Construction Trades Council, Slingshot, and others.

Apprentice hires:

Same as journey-level process, except Contractors shall contact the relevant apprenticeship program or hiring hall, and request referral of New Apprentices as needed to satisfy the applicable Percentage Goal, and shall sponsor New Apprentices as needed. If necessary, Contractors shall contact local pre-apprenticeship programs as indicated by Owner to identify New Residents to sponsor and employ. Such sources include Jumpstart; the Fresno, Madera, Tulare, Kings Building and Construction Trades Council, Slingshot, and others. Contact to such programs shall include a specific request for workers ready to be sponsored to become New Apprentices.

IV. Miscellaneous

- a. **Monitoring.** Contractors shall provide information as requested by Owner or its designee, and access to job sites and employees as requested, to enable determination of compliance with requirements of the Targeted Hiring Policy.
- b. **Subcontracts.** Design-Build Contractor shall include compliance with the Targeted Hiring Policy as a material term of all subcontracts. Design-Build Contractor is liable for any breach of this policy by any subcontractor of any tier.
- c. **Assurance Regarding Preexisting Contracts.** Each Contractor warrants and represents that as of the date that a contract incorporating this Policy became effective, it has executed no contract pertaining to the project that would have violated this Policy had it been executed after that date, or would interfere with fulfillment of or conflict with terms of this Policy. If, despite this assurance, an entity that has agreed to comply with this Policy has entered into such contract, then upon request from the City it shall either amend that contract to include the provisions required by this Policy, or terminate that contract.
- d. **Liquidated Damages.** If a Contractor fails to demonstrate that it made good faith efforts as described above, and it fell short of the Percentage Goals, then the Contractor shall owe to Owner as liquidated damages an amount equal to the minimum journeyman level wage (or apprentice-level wage, as applicable) under the prevailing wage classification for the Construction Trade in question, for each hour short of the Percentage Goals. Compliance and liquidated damages will be assessed on an annual basis, or upon final invoicing for any contract. Liquidated damages may be withheld from progress payments or final payment from Owner, upon compliance determination by Owner.
- e. **Out-of-State Workers.** The Targeted Hiring Policy does not apply to Project Work hours performed by residents of states other than the State of California (and such hours shall not be considered Project Work Hours for purposes of determining satisfaction of the Percentage Goals).