PRIORITY HIRE ADVISORY COMMITTEE

March 2018

Annual Report to Seattle Mayor and Council

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Priority Hire Advisory Committee

ANNUAL REPORT TO SEATTLE MAYOR AND COUNCIL

Table of Contents

I. RECOMMENDATIONS SNAPSHOT

- II. PRIORITY HIRE ADVISORY COMMITTEE (PHAC) Background
 PHAC Analysis, Guidance to Date & City Response
 PHAC Challenges and Change
- III. **PRIORITY HIRE IMPLEMENTATION** Framework for PHAC Guidance on Priority Hire Implementation
- IV. PHAC RECOMMENDATIONS FOR 2018 New Recommendations by Focus Area Prior Year Recommendations & City Action

V. APPENDICES

A - PHAC Construction Pipeline Analysis B - PHAC Member List

RECOMMENDATIONS FOR 2018

- I. Reaching Priority Hire (PH) Target Populations *Increase recruitment into preapprenticeship*
 - 1. Ensure good upfront screening for enrollment and retention

Continue/expand performance-based contracts for Priority Hire outreach providers. Convene a process with appropriate partners (e.g., community, training providers, labor, contractors, etc.) to define a training curriculum for outreach providers that serves as a resource/provider outreach toolkit for all.

- Increase readiness level of recruits
 Increase City outreach funding for major outreach/marketing campaign.
 Define outcomes in City's performance-based contracts for pre- apprenticeship programs & community outreach providers.
 Tap existing training/readiness support services.
- **3. Ensure staff throughout pipeline reflect Priority Hire target population** Include selection criteria in City RFP/contracts for CBOs with staff/leaders of color and women.
- II. Training and Support Services Increase retention in pre-apprenticeship
 - 1. Increase support services and targeted case management to assist people from PH ZIP codes to be successful
 - **2.** Invest in social networks that offer mentoring and support to aid in pre-apprentice retention

Provide community support for PH workers throughout pipeline.

- **3.** Fund training programs with quality training, placement and retention standards and other strategies with demonstrated outcomes
- III. Job Assignment Increase apprentices from Priority Hire ZIP codes; Increase retention from placement to journeying out and increase apprenticeships
 - 1. Strengthen wrap around support services for PH individuals Encourage contractor-community based organizations (CBO) relationships to increase recruitment (e.g., for apprenticeships, internships, sponsorship, helper positions, testing in, etc.)
 - **2.** Explore ways to streamline & prioritize PH applicants for quicker entry into the construction pipeline
 - **3.** Promote labor & industries requirement for apprenticeship training curriculum on leadership and mentorship
 - 4. Increase support services and targeted case management to assist people from PH ZIP codes to be successful

- IV. On the Job Compliance Increase Priority Hire compliance by contractors via incentives and penalties
 - **1.** Formalize existing city process of communicating PH project expectations and examples of PH success to contractors

Share PH examples with City project bidders on how contractors met PH requirements on past City projects.

2. Continue use of city's existing enforcement tools: withholding pay, deficiency rating, debarment

Define good faith effort for hiring PH workers by contractor.

3. Research feasibility and consider unintended consequences of city's use of contractor incentives (to exceed PH requirements/goals/PH worker retention) and liquidated damages for PH non-compliance

Explore incentive methods, e.g., extra bid points:

- Demonstrated exceptional PH past performance
- Contractors with no past PH experience demonstrate existing workforce of prime is 3% or above new project PH goals/requirements
- Retention of priority workers after project completion
- Additional hire of priority workers outside of City projects
- Outreach to/engagement with community pre-apprenticeship programs, outreach providers and apprenticeship programs

Explore liquidated damages (LD), Penalties per hour per worker

- Amounts based on significant amount relative to project size for impact and to deter penalty payments vs. compliance
- Use LD dollars for support services
- V. Regional Collaboration for Priority Hire Public owners agree to a longer time for Preferred Entry and align their other Priority Hire efforts
 - **1.** Increase and standardize Preferred Entry criteria by public owners Support collaborative process to define and gain buy in for allowing Preferred Entry candidates to be within the first 2000 hours of their apprenticeship.

Public agencies using PLAs with Preferred Entry requirements recognize apprenticeship within the first 2000 hours.

- 2. Standardize PH language in each CWA/PLA across all public owners
- **3.** Standardize criteria for PH ZIP code selection (i.e., ZIP code methodology is standardized, not actual ZIP codes)

Host workshop on ZIP code criteria for building trades and other public owners.

PRIORITY HIRE ADVISORY COMMITTEE (PHAC)

"Priority Hire is good business, not just a feel-good effort." – PHAC contractor representative

BACKGROUND

This annual report of recommendations for Priority Hire is the second submission by the Priority Hire Advisory Committee (PHAC) to the City of Seattle.

The formation of the PHAC was defined in the January 2015 Priority Hire ordinance passed by the City of Seattle to promote construction training and career opportunities for residents in economically distressed areas in Seattle and King County. The ordinance includes:

- Prioritizing local construction workers living in economically distressed ZIP codes on City public works projects over \$5 million, creating access to training and employment within the construction workforce;
- Supporting women and people of color to become part of the trained construction workforce, with opportunities for construction careers;
- Requiring a Community Workforce Agreement to supersede union hiring procedures and create better work environments with safety protections and dispute resolution and grievance processes.

The Priority Hire ordinance was the culmination of efforts begun in 2013 by community stakeholders to establish City "community hire" contracting requirements for people living in economically distressed areas of Seattle and King County and aspirational goals for hiring people of color and women in the construction field, followed by passage of City Council Resolution No. 31485 to expand opportunities on Seattle public works projects for those who are historically under-represented.

In May 2015, mayoral appointees representing Community, Contractors (one WMBE firm), Labor, and Training Program providers met for the first time as the Priority Hire Advisory Committee in a day long retreat and agreed on a Priority Hire vision:

- ☑ City projects are achieving Priority Hire job placement and retention targets so people of color and women are *getting into and staying in* public works jobs;
- ☑ City projects are taking steps to *institutionalize* Priority Hire practice;
- ☑ City projects using Priority Hire are *efficient, effective, and meeting their budgets*;
- \square The City's Priority Hire is *serving as a model* for others.

PHAC ANALYSIS, GUIDANCE TO DATE AND CITY RESPONSE

Since its beginning, the PHAC has met with greater frequency than the quarterly meetings required by ordinance. Much time in the first year and a half was devoted to sharing information to create a cross-sector system analysis of factors behind disparate rates of entry, retention and advancement for people of color and women in construction. The three major factors identified in the initial collective analysis (see Appendix A) continue to drive the PHAC's considerations around Priority Hire implementation:

- 1) Insufficient outreach to and/or entry by the target population into the construction pipeline;
- 2) "Leaks" at all phases of the pipeline (i.e., people of color and women dropping out and/or not succeeding at disparate rates); and
- *3)* Inconsistent policies and processes across all parties involved, i.e., unions, public agencies and construction contractors.

PHAC delivered its first annual report to the City of Seattle in 2016, with recommendations to the City for furthering Priority Hire goals and systemic change in 2017. In February 2017, PHAC representatives participated in a presentation and dialogue about the annual report recommendations with the City Council's Civil Rights, Utilities, Economic Development & Arts (CRUEDA) Committee, Council members. Subsequently, CRUEDA's chair requested specific recommendations from the PHAC about Priority Hire legislative changes being considered by CRUEDA.

As a result of the iterative and dynamic dialogue among PHAC members and between PHAC and the City between May 2015 and December 2017, PHAC has provided the following program and policy guidance, all of which have been applied, implemented or adopted by the City:

PHAC Programmatic Guidance

- a) Selection criteria for City's Priority Hire outreach and training service contracts
 City Response: Incorporated into the City's RFP
- b) Priority Hire referral process improvements
 - City Response: City participation and staffing support for the Regional Pre-Apprenticeship Collaborative
- c) Priority Hire incentives and penalties/compliance tools
 - City Response: Feasibility study on liquidated damages conducted by the City's Finance and Administrative Services Department (FAS), which manages the Priority Hire program
- d) Regional vision and City role in public owners group to diversify the construction workforce
 - City Response: City role as a founding member and active participant in the Regional Public Owners group

PHAC Policy Guidance

- e) Change Priority Hire percentage point level requirements in City contracts
 City Response: Implemented by FAS
- f) Reduce number of contractor's core workers (from 5 to 3) to allow for more priority workers
 - City Response: Passed by City Council
- g) CWA core worker exemption for open shop contractors is for up to two additional core workers if registered apprentices from PH ZIP codes, and/or woman and/or a person of color and/or a pre-apprenticeship graduate.
 - City Response: Passed by City Council
- h) No CWA exemption for small subcontracts at a designated dollar threshold
 - City Response: City Council vote aligned with PHAC's recommendation to not include a CWA exemption for small subcontracts

PHAC Members in action:



Jon Green (Left) Michael Woo (right)



Karen Dove (Center behind speaker) Greg Christiensen (right)



Pastor Lawrence Willis, Outreach Specialist SVI- PACT

"When historically underrepresented workers are able to access support services we build equity, greater access to getting on the job, staying on the job [retention] and completion rates." - PHAC Training representative

PHAC CHALLENGES AND CHANGE

Defined in the Priority Hire ordinance, the PHAC is intentionally composed of representatives from four significant stakeholder groups. Fulfilling their mandate to provide guidance to the City on Priority Hire's implementation, the PHAC's diverse composition brings both value and challenges to find common ground on tough issues.

During its inaugural retreat, the PHAC developed a collective set of goals and commitments through an operating charter, including consensus-based decision making. Over the course of the PHAC's first two years, the process of exploring acceptable options for those with dissenting views has resulted in most, but not all, decisions made by consensus. In May 2017, at the beginning of new terms and appointment of new members, the PHAC reaffirmed its intent to strive for consensus but added the option of majority-based decisions and documentation of dissenting views and rationale.

During this transition time, the City also made changes to the PHAC's composition, increasing the number of appointees for each of the stakeholder groups from three to four, and looking to ensure that voices of color, representing and personally connected to the communities targeted by Priority Hire, were included. Two seats were created for technical advisors to advise but not participate in PHAC votes. (See Appendix A.) Term lengths were changed from two years to one, with the possibility of re-appointment.

PRIORITY HIRE IMPLEMENTATION

The implementation of Priority Hire has been underway for almost three years (excluding the Seawall project). The City offers multiple services to–promote Priority Hire's success, including targeted outreach and training contracts, use of compliance tools on City projects, and technical support to contractors and targeted job matching services. 13 City projects have operated under Priority Hire requirements during this time and show increases in work provided to those living in economically distressed ZIP codes, women and people of color (See Priority Hire 2017 Annual Report for detail).

PHAC FRAMEWORK FOR RECOMMENDATIONS

However, the PHAC recognizes that achieving industrywide culture change is a multi-year effort. The original PHAC recommendations to the City in 2016 identified systemic problems and transformation goals in five major focus areas as shown in the following chart:

CONSTRUCTION PIPELINE ISSUES/CHALLENGES	PRIORITY HIRE FOCUS AREAS	GOALS
 Priority Hire (PH) population doesn't know about available jobs Some training program criteria excludes PH target population Qualified priority candidates don't always get into apprenticeship training Those recruited for PH are not always ready for jobs Support services & funding may be insufficient to meet need 	I. REACHING PRIORITY HIRE TARGET POPULATIONS	A. Adequate/effective outreach and recruitment from Priority Hire zip codes
 Not enough pre-apprentice graduates to meet expected demand Lack of pre-apprentice and apprentice trainees retained during training Not enough training slots in pre- apprenticeship and sometimes apprenticeship Pre-apprenticeship training may not always adequately prepare individuals 	II. SUFFICIENT TRAINING & SUPPORT SERVICES	 A. Sufficient pre-apprenticeship graduates to meet projected demand B. Increased pre-apprentice/ apprentice trainee retention C. Service providers adequately connect people to training, jobs & support services
 Poor treatment of PH workers on the jobsite Lack of coordination/ communication among key players (unions, training programs, contractors) Lack of career opportunities for jobseekers with construction experience in priority ZIP codes (e.g. unemployed, working in residential or light commercial construction, etc.) Employers bring "core" workers that don't reflect target Priority Hire population 	III. JOB Assignment	 A. Culture change on jobsite resulting in equitable treatment B. Contractors meet/exceed PH goals and requirements C. Contractor's "core" employees reflective of PH target population D. Increased number of PH workers with prior construction experience in family-sustaining construction careers
 PH workers aren't given equitable opportunities for meaningful on-the-job experience Priority Hire workers aren't retained after job completion Some contractors aren't compliant with PH workforce diversity requirements/ goals 	IV. ON THE JOB COMPLIANCE	 A. PH workers have equitable opportunity to gain meaningful experience on jobsite B. PH workers retained by contractor after project completion C. Increased compliance by noncompliant contractors
 Different policies, goals, processes among public partners Different policies and processes among unions & apprentice-ship programs 	V. REGIONAL COLLABORATION FOR PRIORITY HIRE	A. Collaborate regionally to diversify the construction workforce for public projects

The framework continues to serve as the basis for the PHAC's recommendations this year. Within each of the five focus areas, the PHAC identified specific themes and recommended strategies for the City in order to further:

- Entry into the front end of the pipeline how to increase the number and better recruit into pre-apprenticeship training and retain them;
- Access further along the pipeline how to increase number of people entering apprenticeships;
- Movement throughout the pipeline how to retain people from entry through journey level for a career path;
- Contractor compliance with and/or exceeding PH requirements and collective action by public owners to preferred entry and alignment of other related efforts.

PHAC RECOMMENDATIONS FOR 2018

I. Reaching Target Populations of Priority Hire

"We should be building a community construction workforce with shared knowledge and experiences to pass along." "Training needs to be provided for community outreach providers for Priority Hire to create the right expectations." - PHAC Community representative

Goal: Adequate/effective outreach and recruitment from Priority Hire ZIP codes

Recommended for 2018: Increase recruitment into pre-apprenticeship

1. Ensure good upfront screening for enrollment and retention

- Continue/expand performance-based contracts for Priority Hire outreach providers
- Convene a process with appropriate partners (e.g., community, training providers, labor, contractors, etc.) to define a training curriculum for outreach providers? and serves as a resource/provider outreach toolkit for all

2. Increase readiness level of recruits

- Increase City outreach funding for major outreach/marketing campaign
- Define outcomes in City's performance-based contracts for pre- apprenticeship programs & community outreach providers
- Tap existing training/readiness support services

3. Ensure staff throughout pipeline reflect Priority Hire target population

 Include selection criteria in City RFP/contracts for CBOs with staff/leaders of color and women. Recommended for 2017

- Standardize outreach information and perform outreach in multiple community settings
- Encourage collaboration among outreach providers

City Action to date

- Contracts with community providers for outreach
- Connected outreach providers to existing support service resources

II. Sufficient Training and Support Services

"We need to recognize where people from the Priority Hire target populations are starting from and what's needed to help them attain the skill level needed by a contractor...what it is they need to be successful as a Priority Hire worker. We need to help people from PH ZIP codes that are new to construction to get the basics (like what boot camp does for the military) and bring them along through apprenticeship training to journey level status." - PHAC Community representative

Goals: Sufficient pre-apprenticeship graduates to meet projected demand Increased pre-apprentice/ apprentice trainee retention Service providers adequately connect people to training, jobs & support services

Recommended for 2018: Increase retention in pre-apprenticeship

- **1.** Increase support services and targeted case management to assist people from PH ZIP codes to be successful
- **2.** Invest in social networks that offer mentoring and support to aid in pre-apprentice retention
 - Provide community support for PH workers throughout pipeline
- **3.** Fund training programs with quality training, placement and retention standards and other strategies with demonstrated outcomes

Recommended for 2017

Fund pre-apprenticeship programs with highest quality standards

- Improve pre-apprenticeship outreach recruitment
- Institute high quality pre-apprenticeship training standards
- Provide support at each transition point in pipeline
 long term funding for tracking/supporting person throughout

City Action to date

- City investment-to-date of \$1.5M in Priority Hire for outreach and training with ongoing resources available
- Lead the review of regional preapprenticeship training standards with plans to institute in upcoming training contracts
- Support for case management in preapprenticeship contracts

III. Job Assignment

"Maybe the apprenticeship and contractor communities could revisit how to do intentional pairings of new apprentices with journey level workers on City Priority Hire projects and have good faith effort language to support it." - PHAC contractor representative

"The old model in the trades was for someone new to be helped by the experienced journey level worker. Priority workers need that kind of exposure to be successful, like what a journey level worker offers, but they don't have the connections to someone in the trades or experience on the job. What could help this? Good mentors when someone is starting out at the low level of apprenticeship. The union could play the role of helping to match up newer workers with a journey level worker for their first 6 months of apprenticeship." - PHAC contractor representative

Goals:

- Culture change on jobsite resulting in equitable treatment
- o Contractors meet/exceed PH goals and requirements
- Contractor's "core" employees reflective of PH target population
- Increased number of PH workers with prior construction experience in family-sustaining construction careers

Recommended for 2018: Increase apprentices from Priority Hire ZIP codes; Increase retention from placement to journeying out & increase

- 1. Strengthen wrap around support services for PH individuals
 - Encourage contractor-community based organizations (CBO) relationships to increase recruitment (e.g., for apprenticeships, internships, sponsorship, helper positions, testing in, etc.)
- **2.** Explore ways to streamline & prioritize PH applicants for quicker entry into the construction pipeline
- **3.** Promote labor & industries requirement for apprenticeship training curriculum on leadership and mentorship
- 4. Increase support services and targeted case management to assist people from PH ZIP codes to be successful

Recommended for 2017

- Respectful workplace training to support equitable treatment on the jobsite
- More communication to coordinate Priority Hire efforts among unions, pre-apprenticeship programs & contractors
- Change employer's core workers from 5 to 3 to allow for more priority workers

City Action to date

- Monitor jobsites and set clear expectations with contractors for worker treatment and notification of hiring needs
- Convene contractors, pre-apprenticeship program staff, unions and apprenticeship coordinators in the City Joint Administrative Committee and Regional Pre-Apprenticeship Collaborative
- Liaison function of Job and Training Advisor
- Developed Acceptable Work Site policy clearly outlining unacceptable behavior on City public works jobsites,

	•	Clear and direct process for		contractor responsibilities and enforcement
		priority jobseekers with		mechanisms
		construction experience to enter construction pipeline	_	Issued RFP for Acceptable Work Site contractor training
			_	Negotiated modification to CWA to reduce core worker
				count from 5 to 3

IV. On the Job Compliance

Goals:

- o PH workers have equitable opportunity to gain meaningful experience on jobsite
- PH workers retained by contractor after project completion
- o Increased compliance by noncompliant contractors

Recommended for 2018: Increase Priority Hire compliance via incentives & penalties

- **1.** Formalize existing City process of communicating PH project expectations and examples of PH success to contractors
 - Share PH examples with City project bidders on how contractors met PH requirements on past City projects
- **2.** Continue use of City's existing enforcement tools: withholding pay, deficiency rating, and debarment
 - Define good faith effort for hiring PH workers by contractor

3. Research feasibility and consider unintended consequences of city's use of contractor incentives (to exceed PH requirements/goals/PH worker retention) and liquidated damages for PH non-compliance

- Explore incentive methods, e.g., extra bid points:
 - Demonstrated exceptional PH past performance (Contractors past performance was +3% above PH workforce goals/requirements)
 - Contractors with no past PH experience demonstrate existing workforce of prime is 3% or above new project PH goals/ requirements
 - Retention of priority workers after project completion
 - Additional hire of priority workers outside of City projects
 - Outreach to/engagement with community pre-apprenticeship programs, outreach providers and apprenticeship programs
- Explore liquidated damages (LD), Penalties per hour per worker
 - Amounts based on significant amount relative to project size for impact and to deter penalty payments vs. compliance
 - Use LD dollars for support services

Recommended for 2017

Equitable work distribution/meaningful experience opportunity

City Action to date

- experience opportunity and end
 Incentivize contractors to retain Priority Conduction
- Priority Hire contractor education, monitoring and enforcement strategies
- Incentivize contractors to retain Priority Hire apprentices for future projects
- Conducted liquidated damages feasibility study
- Penalize contractors for non-compliance

V. Regional Collaboration for Priority Hire

Goal: Collaborate regionally to diversify the construction workforce for public projects

Recommended for 2018: Public Owners all agree to longer time criteria for preferred entry & align other PH efforts

1. Increase and standardize preferred entry criteria by public owners

- Support collaborative process to define and gain buy in for allowing Preferred Entry candidates to be within the first 2000 hours of their apprenticeship.
- Public agencies using PLAs with Preferred Entry requirements recognize apprenticeship within the first 2000 hours.
- 2. Standardize PH language in each CWA/PLA across all public owners
- **3. Standardize criteria for PH ZIP code selection** (i.e., ZIP code methodology is standardized, not actual ZIP codes)
 - City workshop on ZIP code criteria for building trades and other public owners

Recommended for 2017

- 1. Create a public owners' group for collaboration on projects in multiple counties
- 2. Focus on creating equity through a shared commitment of hiring local people of color and women
 - Offer Economic Opportunity: More continuous work/career path for workers
 - Scale up/Expand: Create bigger pool of workers; expand use of CWAs outside public projects
 - Align Efforts and Improve Efficiency: Standardize processes and align investments and workforce strategies
 - Resource: Contribute to support construction pipeline/address problems
- 3. Implement by:
 - Create an MOU among owners to commit to creating equity for people of color, women, low-income people
 - Use Results Based Accountability to define shared purpose and approach
 - Use a paid neutral convener to hold partners accountable and commit staffing time and other financial resources
 - Involve decision makers
 - Define next steps, sharing best practices/model partnering for others
 - Develop political strategy to increase revenue

City Action Taken to Date

- Assisted and supported initial and regular joint convening's of public owners including Sound Transit, Port of Seattle, WA State Department of Transportation, King County, City of Tacoma
- Developed public owners vision statement, goals, aligned funding strategies, and work plan
- Convened Apprenticeship Coordinators and union representatives to partner in implementing a more diverse workforce region-wide

APPENDIX A CONSTRUCTION PIPELINE

While the construction pipeline from entry to career advancement works for many, People of color (POC) and women historically and currently are underrepresented



INSUFFICIENT SUPPLY OF PEOPLE ENTERING REFERRAL PIPELINE (women/people of color/underrepresented workers in pre-apprenticeship/apprenticeship/journey level)

- Community doesn't know jobs are available
- o Interested people can't get into apprenticeship training (training criteria exclude them)
- People not ready for jobs
- o Support services not available to help people get into the pipeline
- Services not coordinated across cities (i.e. drivers relicensing)
- Non-manual options not available/known

• "LEAKY" PIPELINE

- o Lack of ready jobs for apprentices
- o People are not a good fit with the realities of the work
- o Support services not available to support people staying in the pipeline
- o Non uniform priority hire dispatch
- o Contractors underutilizing women and POC workers on the job site (unequal opportunities)
- o Contractors not creating work environments for women and people of color to retain them and help them advance
- VARIABLE PRACTICES/PROCESSES MAKE PIPELINE NAVIGATION DIFFICULT
 - o Unions not uniformly helping contractors navigate union requirements on priority hire projects
 - o Contractors not uniformly implementing priority hire
 - o Public agencies have varying requirements about workforce diversity goals
 - o Public agencies vary in their enforcement tools/actions
- INSUFFICIENT JOB AVAILABILITY SEASONALITY AND CYCLICAL NATURE OF WORK
- SYSTEMS NOT WORKING TOGETHER

APPENDIX B PRIORITY HIRE ADVISORY COMMITTEE

Group Represented	Name	Company/Organization	Position
Community	Ray Hall	Regional Area Youth Development Organization	Director
Augustine Cita		Urban League Metropolitan Seattle – Career Bridge	Director Workforce Development
	Michael Woo	Founder of Got Green	Community Activist
	Tali Hairston	Seattle Pacific University-John Perkins Center	Director
Contractor -	Tom Peterson	Hoffman Construction	VP & General Manager
General	Sonja Forster	Associated General Contractors of WA	Seattle District Manager
	Rory Olson	MacDonald-Miller Facility Solutions	Service Operations Manager
Contractor - WMBE	Jon Green	Metro Painting	Senior Advisor
Training Provider	Greg Christiansen	Ironworker Management Progressive Action Cooperative Trust	Coordinator
	Halene Sigmund	Construction Industry Council of WA	President/CEO
	Karen Dove	Apprenticeship & Non-Traditional Employment for Women (ANEW)	Executive Director
	Lawrence Willis	Seattle Colleges- Seattle Vocational Institute Pre-Apprenticeship Construction Training	PACT Coordinator
Labor	Marge Newgent	Operating Engineers Local 302	Business Agent
	Sam Hem	Sheet Metal Workers Local 66	Business Agent
	Leanne Guier	Plumbers & Pipefitters	Business Development Specialist
	Monty Anderson	Seattle Building Trades Council	Executive Secretary
Technical	Gary Schmitt	Sound Transit	Project Labor Specialist
Advisors	Andra Kranzler	Formerly Seattle City Council Lisa Herbold's Office	Legislative Aide

Community
Contractors
Training Providers
Labor
Technical Advisors