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Leveraging Government Construction Purchasing to Expand Training and Apprenticeship, Overcome Skills Shortages, and Promote a More Diverse Workforce

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ABSTRACT

British Columbia has experienced a continuing shortage of skilled construction workers. Over half its apprentices fail to complete their vocational education and training (VOC) programs and an alarming number of workers leave the industry due to the precarious nature of the work and a toxic worksite culture, a problem of particular significance for Indigenous workers, women and racialized minorities. This article examines a unique experiment in reorganizing construction training and employment initiated in 2018 under a newly elected government. Its purpose was to address key factors that impeded the industry's ability to achieve the government's ambitious construction agenda by providing more extensive employer support for training and apprenticeship, recruiting a more diversified workforce and improving the workplace culture on construction sites. To advance this agenda, the government created a public corporation, British Columbia Infrastructure Benefits (BCIB), to train and employ the trades' workforce on selected major infrastructure projects. To achieve the support of labour, it negotiated a community benefits agreement (CBA) with a council of 19 building trades unions covering its entire workforce. To enable BCIB to function as the employer on all its projects, the government made it a condition of its procurement contracts that successful bidders use BCIB's employees and comply with the CBA's terms, which prioritized local hire, apprenticeships and equity employment. To track its training and employment performance, BCIB established a comprehensive payroll-based database unique in the industry. This has enabled it to identify - and address - impediments to workforce renewal. To improve the worksite culture and deal with racism, sexism and homophobia, it created a mandatory two-day Respectful Onsite Initiative (ROI) orientation program which all its workers must take before starting their jobs. While the creation of a public employer has been controversial, BCIB's workers have now logged over 500,000 hours, making it the second largest provincial construction employer. It has also documented significant progress in implementing its training and apprenticeship programs, achieving outcomes considerably better than the rest of the industry.

Keywords: *vocational education and training (VOC), Community Benefits Agreements CBAs), unionized construction, employment equity, Indigenous employment, apprenticeship, workforce renewal, workforce diversity*

INTRODUCTION

In creating British Columbia Infrastructure Benefits (BCIB) the newly elected provincial government sought to tackle the construction industry's chronic skills shortages through a progressive workforce training and employment strategy. This prioritized local employment, expanded apprenticeships, made the industry more representative of the diversity of BC's population and addressed the toxic workplace culture that has contributed to high labour turnover. Creating BCIB and negotiating a Community Benefits Agreement (CBA) with the construction unions also gained labour's support for its innovative workforce renewal program. (British Columbia 2018a; 2018b; BCBT 2018)

This initiative departs significantly from traditional public construction procurement. The new Crown Corporation, BCIB, is now the employer of the entire construction trades' workforce on selected major infrastructure projects valued at over \$500 million. The government amended its procurement contracts to require contractors to source their trades' labour from the new corporation. To standardize wages and benefits across its projects and limit the ability of contractors to poach skilled trades from one another, the government negotiated a multi-project collective agreement with the Allied Infrastructure and Related Construction Council of British Columbia (AIRCC), representing 19 construction unions. The government made BCIB the employer referenced in the CBA it negotiated with the building trades unions (AIRCC and BCIB 2018). The agreement enabled BCIB – with the agreement of the unions - to prioritize local hire, training, apprenticeships, and recruitment of Indigenous workers, women, racial minorities and people with disabilities. It ensured that all workers would be paid the appropriate rate for their job classification and be covered by the collective agreement (AIRCC and BCIB 2018).

The CBA resembles project labour agreements (PLAs), widespread in construction. These normally involve unionization of an entire project for its duration in return for unions supplying the skilled trades' workforce and agreeing to a no-strike, no lock-out clause. However, it differs significantly from conventional PLAs because BCIB, not the contractors, is the workforce employer. As employer, BCIB can hire, train and dispatch workers to its various job sites in a manner paralleling how a union hiring hall operates. However, while BCIB exercises this key function, it must do so according to the terms of the CBA negotiated with its unions. Contractors winning bids on public procurement contracts still direct and supervise workers on their projects and are responsible for workplace safety. But they are no longer the employers because they must use the workers BCIB sends to them. They must also exercise their supervisory functions in a manner that respects the terms and conditions of the CBA. BCIB, in turn, is responsible for ensuring that the workers it provides are fully trained and qualified to perform the work that contractors require.

Initially, BCIB's mandate covered three projects, each valued at over half a billion dollars: the \$730 million project to widen Highway 1, the \$2.9 billion Broadway Subway Extension Project and the \$1.4 billion Pattullo Bridge replacement. However, the legislation enables the government to add new projects. Thus it has added the \$1.5 billion Cowichan hospital and a major upgrade to the campus of the British Columbia Institute of Technology. By late 2024, the initiative included ten infrastructure projects (Mackay and Johnsen 2024). The government assumes its spending on all projects will average \$2 billion, annually.

BUILDING ON A SIGNIFICANT PRECEDENT

From 1994 to 2001, a previous British Columbia New Democratic Party (NDP) government had implemented a similar, although more modest, program on a major Vancouver Island highway. It established a publicly owned corporation, Highway Constructors Limited (HCL) to employ the construction workforce. HCL negotiated an agreement with 13 building trades' unions specializing in highway construction to secure their cooperation in supplying the skilled workforce it required and support its employment equity, training and apprenticeship programs (HCL and BCHRCC 1994).

In the agreement with the unions, the government included commitments to diversify the workforce and address discrimination against women, Indigenous people and visible minorities, widespread in the industry at the time (Goldberg 1992: Public Service Act Directive on Employment Equity 1994; Braid and Cohen 2000a; Bakan and Kobayashi 2004; Fernandez and Silver (2017). The collective agreement enabled HCL to hire, train and dispatch local residents and members of designated equity groups to its work sites. Labour accepted these provisions because the entire project was unionized, even though it changed how their members were recruited and dispatched to construction sites. (HCL and BCHRCC 1994; Braid and Cohen 2000b).

A key feature of this earlier initiative was the establishment of a major training program. Its purpose was to encourage local residents and members of four provincially designated equity groups (women, Indigenous people, people with disabilities and visible minorities) to qualify for work on the project. This was accompanied by a widespread advertising program in communities on Vancouver Island informing them of the training program and the possibility of work on the project.

Assessments of the initiative were positive. Economist Marjorie Cohen and tradesperson Kate Braid examined the project's performance and concluded that it had dramatically increased employment of the targeted equity groups. There was little data on employment equity in BC construction at the time. However, the best estimates indicated that fewer than 2% of women had on-site jobs, while Indigenous workers were largely excluded from the industry. In contrast, equity participation in HCL's project reached 22.1% by 1998. Fully 93% of HCL's payroll went to local residents, making it popular with Island residents and local businesses (Griffin-Cohen and Braid 2000b; Calvert and Redlin 2003). Large numbers of workers achieved qualifications as construction labourers, operating engineers and teamsters through the training programs.¹

However, the NDP lost the 2001 election. The new government was hostile to the building trades' unions and abolished unionized HCL. (Peppard and Sinclair 2006; Slinn 2008; Guenther et. al. 2009; MacTavish and Buchanan 2016; Sinclair 2017). It restructured BC's apprenticeship system, repealing the NDP's 1994 and 1996 apprenticeship reforms and excluding unions from their previous role in governance. (Peppard and Sinclair 2006; Matte 2000). It passed new labour legislation designed to undermine union organizing (MacTavish and Buchanan 2016; Sinclair 2017). It eliminated trades' certification requirements for most construction work which undermined a key factor that encouraged workers to apprentice for a trade because there was no longer any benefit in obtaining a provincial trades qualification or a national Red Seal designation as anyone was allowed to do trades' work. It privileged non-union contractors in infrastructure contracts. And it abandoned linking employment equity, apprenticeship and local employment with its procurement contracts, relying instead on low bid tendering. This left it up to successful bidders to decide how to address this issue (British Columbia 2003). These policies reduced the potential qualified labour pool and substantially weakened the apprenticeship system. (Meredith 2011; McDonald 2014; BCFL 2013; Mills 2017; Sinclair 2017; BCFL 2017; Prism 2017; Matte 2020; Jin et. al. 2020; BC Chamber of Commerce 2021).

Encouraged by non-union contractors, the 2001-2017 British Columbia Liberal Party government also deregulated much of BC's construction industry. This reflected the industry's opposition to public regulation of labour and qualification standards (Hamilton-Smith 2012; Hyslop 2012; Goedbloed 2014). The government initiated a policy of eliminating one third of the existing regulations in the industry. Committed to the free market, contractors were also opposed to government policies requiring them to support apprenticeship or permit unions a larger role in workforce training and development (Meredith

¹ The number of apprentices was limited because there are only a small number of trades requiring a full apprenticeship on highway construction, something which differentiates it from most other areas of the construction industry.

2011; Hamilton-Smith 2012; Sinclair 2017). Efforts by Canada's federal government to encourage employers to support apprenticeships through subsidies, tax concessions and other enticements had little impact in addressing BC's low apprenticeship completion rate. (Barabasch and Watt-Malcolm 2010; Meredith 2011; CAF 2023).

In its 2019 review of BC's training performance over the previous years, the Canadian Apprenticeship Forum (CAF) noted that: "Apprenticeship program registrations and completions in British Columbia have failed to keep up with the rapid pace of growth in the province over the past five years..." It added that "... this gap contributes to the emergence of chronic labour market challenges for many skilled trades in the province." (CAF 2019). The Liberal government also failed to improve the under-representation of women and Indigenous workers (CSC 2010; Skillplan and SRDC 2017).

PRIORITIES FOR A NEW GOVERNMENT

The new government recognized that significant policy changes were needed to address the industry's chronic skills shortages. After years of hostile government policy, the construction unions wanted a future government to amend public procurement to facilitate unionization and restore the previous apprenticeship system. In 2014, they persuaded MLA John Horgan to commit to establishing a new public corporation, based on the HCL model, in his successful campaign to lead the NDP. Anticipating the 2017 election, the unions formed the Community Benefits Coalition of BC to generate public support for their proposed new unionized Crown Corporation designed to implement a progressive program of local hire, training and employment equity (BCBT 2018; Bergland and Miles 2022).

In its 2017 election platform, the NDP advocated a major infrastructure program to stimulate BC's economy. Part of this entailed addressing the industry's serious skills shortage to ensure it had the qualified workforce needed to carry this out. Horgan had worked in the 1990s NDP government, was familiar with HCL, and represented the Vancouver Island constituency of Langford-Juan de Fuca after his election as MLA in 2005. He knew that many Island residents saw HCL as a major accomplishment of the earlier NDP government. He felt creating similar initiative was a desirable public policy. While caution is always needed when attributing a major policy to one individual, arguably without Horgan's role, as Premier, in persuading his cabinet to support BCIB, it is unlikely it would have been created, given the attacks his colleagues knew the government would face for such a pro-union initiative (NDP 2017; Buildforce Canada 2017; CSCU 2021).

Workforce development and renewal is a major objective of the province to address the skills shortages noted above. In this respect, the perspective of the provincial government is different from that of individual contractors. The province's goal is to meet the training and labour force demands of the entire industry. In contrast, the perspective of individual contractors is to provide for their immediate – and anticipated – labour requirements. In this latter case, supporting vocational education and training only makes sense if individual contractors can see that they will benefit from investment in the skills development of apprentices. Given the project-based nature of construction in which future contracts – and, consequently, obligations to apprentices – cannot be guaranteed, their willingness to support workforce development is conditioned on having a sound business case for their firm. This problem is exacerbated by the fact that workers they train may choose to move to other employers and, more perversely, that other employers who do not train may poach their apprenticeship graduates by offering them more money once they obtain their trades' certificate. There is no guarantee that they will get a sound return on their investment. One of the key factors that distinguishes BCIB from other employers is that its approach to training is shaped by the government's broader perspective. It is training for the province's industry, not primarily for the projects it manages and thus is intended to plug a major gap in the system.

NEGOTIATING THE COMMUNITY BENEFITS AGREEMENT (CBA)

On July 16, 2018, the government unveiled a new Crown Corporation, BCIB, to train and employ the trades' workforce on selected public infrastructure projects worth more than \$500 million. It negotiated a CBA with a council representing 19 building trades unions which it then transferred to BCIB, making it the employer of record in the agreement (AAARC and BCIB 2018; British Columbia 2019a; British Columbia 2019b). The CBA prioritized local employment, training and apprenticeship, while committing to diversifying the construction workforce. BCIB's anticipated role in promoting employment equity was key in persuading members of Horgan's Cabinet to support the initiative.

The government's policy direction for BCIB was clarified in its initial press releases and in a series of Mandate letters from successive Ministers of Finance. (British Columbia 2018a; 2018b, James, 2020; Robinson, 2021; CSCU 2021; Conroy 2023).² For example, the July 16, 2018 press release outlined the focus of the initiative:

“A new, landmark agreement for key public-sector infrastructure projects in B.C. will deliver good-paying jobs, better training and apprenticeships, and more trades opportunities for Indigenous peoples, women and youth around the province. With this agreement, we're not just investing in roads, bridges and other infrastructure, we're investing in good jobs and new opportunities for people who live in B.C.... And with our focus on expanding apprenticeships for young British Columbians, we're helping build B.C.'s next generation of construction workers.”

The press release also underscored the commitment of the building trades' unions to the government's training and apprenticeship agenda and their desire to maximize apprenticeship completions as a key goal of the CBA.

The government's expectations for BCIB were outlined by Finance Minister Carol James in her Ministerial Letter to its Board in January 2020: The goal was to:

“Mobilize and grow a diverse, safe and skilled workforce through outreach to local communities, indigenous communities and under-represented groups. Ensure the development and tracking of apprenticeship participation and completion rates by working with the Industry Training Authority to enable a supported workforce pathway.”

Ministerial directives from subsequent Finance Ministers reiterated the government's emphasis on training the workforce. This focus is reflected in BCIB's Annual Service Plan Reports in which it has documented how it is pursuing this training objective and its progress to date. Its 2020/21 Plan emphasized its commitment as an employer to “...employing traditionally underrepresented workers to diversify and grow the number of people entering and completing their certification in the skilled trades through targeted equity recruitment...” Subsequent BCIB Reports have continued to emphasize this objective and have included extensive data tracking its progress, a point to which we will return later in this article.

Finance Minister Janes 2020 letter also specifically directed it to promote reconciliation with Indigenous peoples by adopting policies aligned with BC's Declaration on the Rights of Indigenous Peoples Act (BCUNDRIPA) and the recommendations of Canada's Truth and Reconciliation Commission (TRC). Providing apprenticeships and other training opportunities is an integral part of this directive.

² The various Ministerial Directives are posted on the BCIB web site.

Both the government and the unions have recognized that the unwelcoming culture on building sites contributed to the high attrition rate in the construction industry with too many apprentices failing to complete their training and too many qualified journey workers leaving the industry. Racism, sexism and anti-gay attitudes existed on too many worksites (Braid and Cohen 2000a; Mills and Clarke 2007; Mills and Sweeney 2013; Prism Economics 2017; Skillplan and SRDC 2017). A key feature of the CBA is that it acknowledges the need to address this issue. Its workforce orientation program is designed to improve the culture on building sites. The relevant provision reads as follows:

“9.204 (a) The Employer will, in consultation with the Council, prepare and present an orientation to all Employees hired to work on the Site.

(b) The orientation shall include safety, housekeeping, environmental stewardship and key provisions of this Agreement (e.g. jurisdiction, preferential hiring and community benefits, no strike/no lockout, role of the Council and Employer) and cultural awareness.

9.205 The Employer, Contractors, Council and Affiliated Unions agree, in collaboration with local Indigenous communities, to provide sustainable, comprehensive Indigenous cultural competency training to all persons working on the Project.” (AIRCC and BCIB Article 9.204; 9.205)

The CBA provides BCIB, as the employer, with tools to implement its workforce development mandate. Key to this is BCIB’s ability to hire, train and dispatch workers to contractors. The CBA provides detailed guidelines on how it is to do this. Recognizing that contractors need the workers they customarily use on their other work sites, it permits them to ‘name request’ specific key personnel before BCIB hires other workers. The number of ‘name requested’ employees is set out in the CBA and depends on the size of the contract. BCIB hires them and assigns them to the requesting contractors. This ensures that contractors have access to the core workers they need. However, once contractors’ ‘name requests’ are fulfilled, BCIB can dispatch other workers, according to the CBA’s detailed guidelines, including local residents, Indigenous workers, women, racialized minorities, other equity workers and AIRCC union members.

Union support is particularly valuable for achieving BCIB’s training and apprenticeship goals because BC unions operate extensive training programs through their Joint Apprenticeship and Training Committee (JATC) schools which they operate jointly with unionized employers. In addition, unions provide the qualified union journey workers needed to mentor apprentices on job sites where 80% of their learning takes place. (O’Grady 2005; BC Building Trades 2019)

Ministerial Directives also address racism and systemic discrimination on BCIB work sites, including adopting the government’s Gender-Based Analysis Plus (GBA+) lens for its workforce programs. The government has instructed BCIB to reach out to Indigenous communities, inform them of opportunities for their members on its projects and assist their members with training and apprenticeship. BCIB has held literally hundreds of meetings with Indigenous communities. It has two full time staff, recruited from Indigenous communities, to address issues arising on its building sites. (BCIB 2023).

As noted, the CBA empowers BCIB to address the toxic construction workplace culture, a major reason members of equity groups – and many other construction workers – have found it so difficult to remain in the industry. While contractors generally provide a brief orientation for new workers, BCIB is unique because its progressive orientation goals are embedded in the CBA, giving it a mandate to develop a significant program. It has done this by creating and implementing a two-day Respectful Onsite Initiative

(ROI) for all workers.³ One component of the ROI is History Matters. It provides Indigenous cultural competency training, including a discussion of the impact of settler colonialism on Indigenous people and the ongoing legacy of past discrimination. It highlights the barriers Indigenous workers face and emphasizes the importance of providing a supportive workplace environment for Indigenous workers – and all workers. Indigenous elders and knowledge sharers from local communities deliver the module. Another component of ROI is Justice, Equity, Diversity and Inclusion (JEDI). Its focus is to address racism, sexism and anti-LGBTQ+ behavior, reasons why so many women and many men choose to leave construction. (Braid and Cohen 2000a; 2000b; Barabasch and Watt-Malcolm 2010; Skillplan and SRDC 2017; BCIB 2023/24 – 2025/26 Service Plan).

In light of the impact of climate change on society and on the construction industry, BCIB also includes a climate literacy module in its ROI. Until recently Canada's Red Seal Standards, which establish the knowledge, skills and competencies apprentices require to pass their national exam, did not include a significant climate component. BCIB has recognized this gap and its climate literacy module is designed to provide its workers with an understanding of how their work impacts the environment and the climate and what they can do to contribute to meeting our climate change goals. (BCIB 2023; Calvert 2024).

A number of the contractors operating on BCIB sites have come to recognize the value of the ROI orientation and have asked BCIB to provide it to them on their other non-BCIB work sites. In addition, other employers, including provincial agencies, Crown Corporations and municipalities are now contracting with BCIB to offer its ROI on their worksites. (BCIB 2023; BCIB web site: <https://bcib.ca/respectful-onsite-initiative/get-roi/>).

BCIB has encountered criticism for the cost of the amount of paid time involved in its orientation program. However, it maintains that this is essential to make the workplace culture more welcoming, especially for Indigenous people, women and other workers traditionally marginalized by the industry. The orientation signals to new employees – and contractors - that, as the employer, BCIB expects them to support a welcoming workforce culture.

For unions, a collective agreement covering all BCIB's projects was a major win. It ensured that all workers received the same pay and benefits, regardless of the contractor to whom BCIB assigned them, a particularly important issue for Indigenous workers, women, racialized minorities and others who are often paid less on construction projects. The agreement prevents contractors engaging in predatory labour practices widespread in the industry, such as exploiting immigrants and temporary foreign workers in the underground economy, contracting with bogus 'independent operators' to circumvent employment obligations, or simply not paying workers (BCFL 2019; Prism 2022; Calvert 2024).⁴ Standardizing wages prevented contractors with specific skills shortages poaching workers from other contractors (Prism 2017; AIRCC 2018). The CBA also required all workers - and some contractors - to have taken formal health and safety training, because occupational injuries and diseases are a major issue in the industry (Calvert, Fairey and Peppard 2006). The CBA also ensured that all BCIB workers would have the protection of the collective agreement.

To address concerns of non-union contractors that AIRCC unions would use the fact that BCIB's workers were unionized to apply to the Labour Relations Board to certify contractors supervising them, the

³ The Respectful Onsite Initiative is described on the BCIB web site. It includes both text and videos outlining its content. <https://bcib.ca/respectful-onsite-initiative/>

⁴ A 2018 study by the Vancouver Regional Construction Association found that the average unionized wage rate for the Vancouver area was \$47.81. While the study did not include the non-union rate for Vancouver, it noted that the provincial non-union rate was \$28.79, indicating a gap of \$19.02 per hour. (VRCA 2018 p. 8).

agreement explicitly bars unions from doing this. (AIRCC and BCIB 2018). The government was concerned that non-union contractors might not bid on BCIB projects, fearing unionization. This concern might undermine the competitive bidding process and push up bid prices, exposing the initiative to criticisms that it resulted in excessive procurement costs for taxpayers. The government was clear that any contractor would be free to bid on all BCIB projects, regardless of whether they have an existing union agreement. BCIB estimates that about 60% are not organized on their other projects. Nor do workers need to be union members to work on BCIB sites, although they must join the appropriate union within 30 days. Thus far, there is no evidence that fewer contractors are bidding on BCIB projects, indicating that they are not being deterred by the fact that BCIB's workforce is unionized.

Because BCIB supplies workers to contractors, it has to ensure that they are properly trained and fully capable of meeting contractors' labour requirements. This objective is stated clearly in the government's Ministerial directives to BCIB. The credibility of the initiative is dependent on BCIB dispatching workers who can deliver this commitment. BCIB carefully vets the workers it dispatches, consulting with the relevant union on their qualifications, including whether they need further training before being sent to contractors' job sites. It also takes seriously any complaints about their work performance, including re-assigning them, or requiring them to obtain further training, or other supports.

APPRENTICESHIP AND WORKFORCE RENEWAL

A major problem facing Canada's construction industry is lack of employer support for training and apprenticeship. (Barabasch and Watt-Malcolm 2010; Meridith 2011; Hamilton-Smith 2012). Various factors affect the ability – and willingness – of employers to do this. But one is how the industry itself is organized. It is characterized by the small size of most contractors. According to the BC Construction Association, 92% of employers had fewer than 20 employees in 2023 (BCCA 2023). Size is a critical factor in the capacity of employers to host apprenticeships because it is necessary to have a sufficient number of qualified journey workers to mentor apprentices. Additionally, taking on an apprentice involves a significant employer commitment which is often challenging due to the short-term and uncertain nature of many contracts. As noted, a chronic trades shortage has plagued the province for decades (Meridith 2011; Goedbloed 2014; BCCA 2023). While the new NDP government recognized it could not overcome all the factors affecting apprenticeship success in the province's construction industry, it felt BCIB, as an employer, could contribute modestly to fixing the problem.

Accordingly, the government gave BCIB specific apprenticeship targets. BCIB requires contractors supervising its employees to sign BCIB-Contractor, or BCIB-Subcontractor agreements agreeing to work with BCIB in implementing its training goals, including ratios of apprentices to journey workers (BCIB Subcontractor Guide 2022). BCIB's approach to recruiting apprentices and trainees considers their need to progress through a structured workforce development program. Each project has specific targets depending on the type of work and corresponding apprenticeship opportunities. BCIB's employment data tracking system provides it with the tools to track and support their progress.

Attrition is a major industry problem. Too many apprentices, trainees and journey workers abandon construction. Almost sixty percent of apprentices never finish. The reasons include precarious employment, low and insecure income, better opportunities in other economic sectors, lack of training support on job sites, the stresses of construction work, ever changing - and often remote - work locations, punishing work schedules and lack of childcare. To this can be added the toll of physical injuries and mental health challenges (Sharp and Gibson 2005; Meridith 2011; Mills 2017; Jin et. al. 2020; Jin and So 2023). In dispatching the same workers to several different contractors on its various job sites, BCIB is able to lessen the negative impact of layoffs. BCIB tracks this. It has placed 21% of its apprentices with subsequent contractors on its projects. (MacKay and Johnsen 2024). Its multiple project mandate makes this feasible.

Employment continuity also makes construction more attractive as a career choice, encouraging young people to join – and remain - in the industry. (BCIB 2021)

The government also wanted to address the ‘boom and bust’ employment pattern which had proved so damaging to local communities affected by infrastructure projects. Building activity is disproportionately affected by the business cycle (Bosch and Philips 2002; Barabasch and Watt-Malcolm 2010; BCCA 2023). In BC, this is exacerbated by the provincial economy’s exposure to fluctuating international commodity markets. During booms, high demand for labour encourages contractors to recruit outside local labour markets. However, the influx of workers adversely impacts local communities who face temporary increases in demand for housing and public services without corresponding increases in tax revenues.

Conversely, during busts, local employment falls, negatively impacting both workers and the local economy. Compounding this precarity is that outside contractors often bring in their own crews, ignoring the available local labour force even where its members are fully qualified. The government wanted to smooth out these cyclical patterns and stabilize local employment. The CBA gives residents living within 100 km of worksites priority on BCIB projects, including training and apprenticeship opportunities. This is intended to encourage qualified local workers to stay in their communities and support their local economies. Additionally, as an employer, BCIB’s investments in training members of local communities are linked to the jobs it can offer to those it trains. This gives an additional incentive to workers to enroll in its training and apprenticeship programs (British Columbia 2018a; 2018b; BC Ministerial Directives: James 2020, Robinson 2021, Conroy 2023).

Promoting a safe and healthy working environment is a major goal of the CBA, because it is inherently desirable for workers, because it reduces the burden on BC’s workers’ compensation system and its health care services and because it reduces attrition in the construction industry. BCIB has invested significantly in occupational health and safety training (OH&S) by including modules in its two-day orientation program, requiring its workers to have certified O&H training and monitoring on site work practices.

Substance abuse is also a major issue in construction. BCIB has developed a suite of addiction and opioid awareness tools and a training program to support workers. (Kozak and Johnson 2022). Its multi-project mandate covers a significant number of workers. This results in major economies of scale because it can offer a similar support package to workers on all its job sites. This is something most contractors do not have the resources or access to the expertise required to develop and implement such programs. Unions support BCIB’s initiative in this area through their highly regarded Construction Industry Rehabilitation Plan (CIRP).⁵ Established 35 years ago, its program addresses the specific addiction and rehabilitation needs of construction workers.

THE CRITICAL IMPORTANCE OF BCIB’S PAYROLL-BASED EMPLOYMENT DATA SYSTEM

Policy researchers have complained for years about the lack of quality data on apprenticeship and employment equity in BC. In his thesis on apprenticeship programs, Matte notes that “... the absence of consistent and reliable data on apprenticeships in BC restricts the ability of researchers ... restricts researchers’ abilities to provide more research-informed insights for policy development” (Matte 2000, p. 218). In contrast to the rest of BC’s construction sector, BCIB operates a sophisticated data system, based on managing its payroll. It asks workers to self-identify their equity group membership voluntarily, enabling it to track them. It integrates this information with payroll data to track employment, residency, training, apprenticeship, classification, qualification, hours worked on various projects, contractor(s) to whom

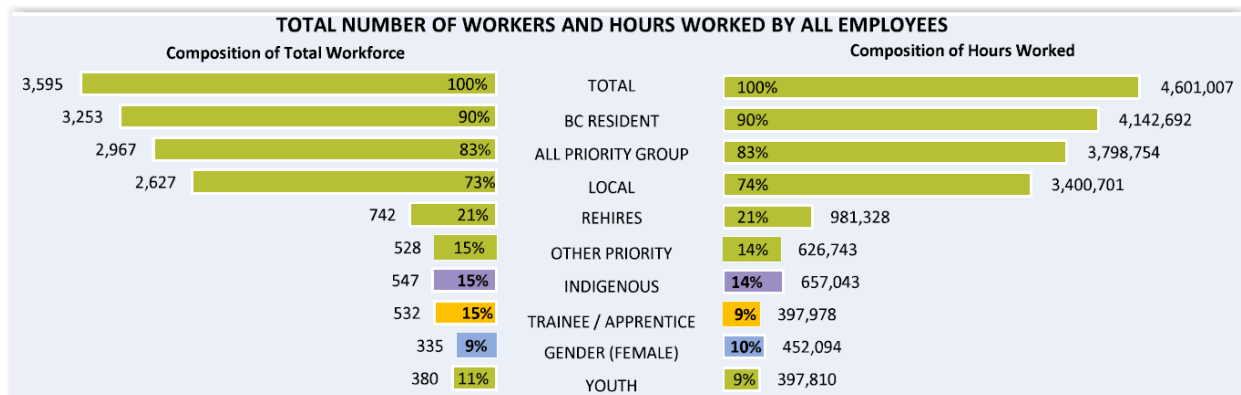
⁵ Details can be found on the Construction Industry Rehabilitation Plan’s website: <https://www.constructionrehabplan.com>

workers have been assigned, union membership, workplace grievances and safety incidents. It can also trace the performance of contractors and unions in supporting training and apprenticeship. (MacKay and Johnsen 2024).

This comprehensive data system is fundamental to BCIB’s ability to implement the CBA’s mandate. It has no counterpart elsewhere in Canada’s construction industry and is, arguably, the most sophisticated employment equity data system of any industry in Canada. It enables BCIB to monitor progress according to the categories noted above and intervene when necessary. Without a payroll-linked data system, BCIB would have to rely on periodic surveys, or union and employer estimates of how well targets were being achieved, an approach characteristic of many PLAs (Chernonas 2021). These surveys are very imprecise measurement tools, unsuited for documenting the real time performance of a CBA, particularly because of the short-term nature of many construction contracts. BCIB can provide high quality, accurate data, virtually in real time on how well, or otherwise, it is achieving its targets, making it possible to for timely interventions. The data system also enables BCIB to provide verifiable information to the government, Indigenous organizations, women in trades associations, contractors, unions, other stakeholders and the media. Moreover, because BCIB is public and subject to audit, the accuracy of its data can be independently confirmed.

The following four tables from BCIB’s database document its performance in meeting the goals of both the government and the unions as reflected in the CBA. The first shows the total number of employees on its payroll for all its projects from 2019 to 2023, the hours they worked and a break down by BC origin, priority target group, local resident status (within 100 km of job sites), number of workers rehired to other BCIB contracts or projects, Indigenous workers, trainees/apprentices, women and youth. Of significance is that BCIB’s 15% Indigenous employment rate is two and a half times more than the provincial average of 6%. BCIB’s women’s employment rate at 9% is about one and a half times the 6% provincial construction average. BCIB’s 14% apprenticeship rate is only slightly above the industry benchmark of 12% but this reflects the fact that seven of its 10 projects involve highway construction, which requires very few apprenticeable trades and has a high proportion of construction labourers.

Table 1

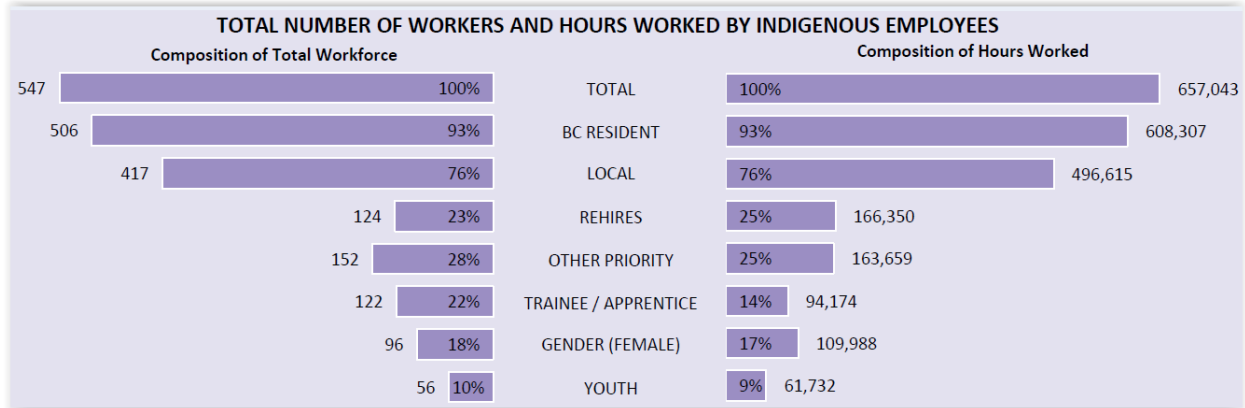


Note: Other priority includes equity, LGBTQ2S+, people with disabilities and visible minorities.
Source: BCIB data base from 7/8/ 2019 to 12/30/2023 for all projects (reproduced with permission)

The level of detail shown in the preceding table is unique in the industry. It is notable how granular the data is, particularly as BCIB can not only provide number of hires on the payroll, but also the actual number of hours worked by each category of workers. This means the number of hires can be compared with the amount of work they receive, an important way to ensure that equity hires are receiving their fair share of work. The fact that the data is directly linked to the payroll system facilitates continuous real time updating.

Increasing the proportion of Indigenous workers has been a key objective of BCIB and the goal of its extensive outreach program. The following table provides the total number of indigenous workers and the hours they have worked on its sites between 2019 and the end of 2023. Again, there is a break-down according to BC origin, local residency and rehires. As there is often overlap between Indigenous workers and other equity categories, BCIB collects data on these metrics as well (MacKay and Johnsen 2024).

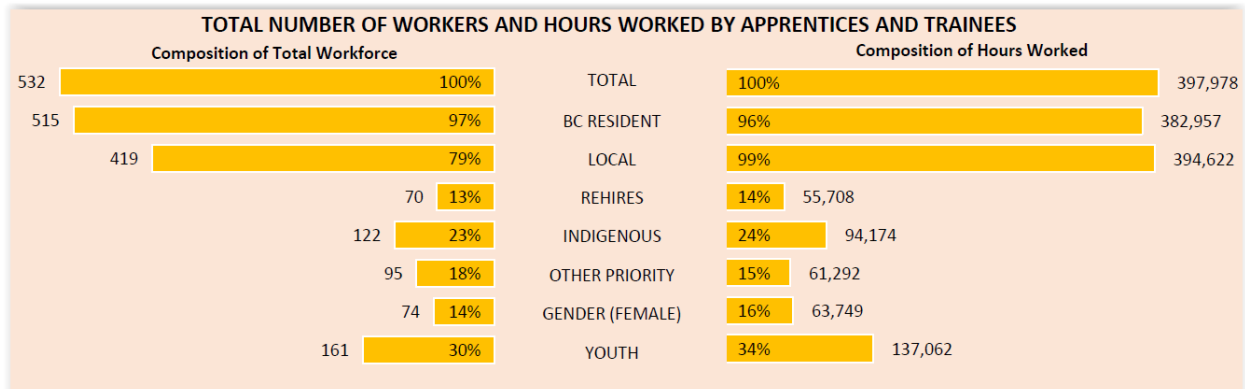
Table 2



Note: Other priority includes equity, LGBTQ2S+, people with disabilities and visible minorities.
Source: BCIB data base from 7/8/ 2019 to 12/30/2023 for all projects (reproduced with permission)

A key objective of the government and the unions has been to address BC’s dismal record in training its construction workforce. Accordingly, BCIB tracks the number of trainees and apprentices. The trainee/apprentice category includes both because not all occupations for which it provides training are apprenticeable. Although not shown on a separate table, the database also includes tracking individual trades and occupations.

Table 3



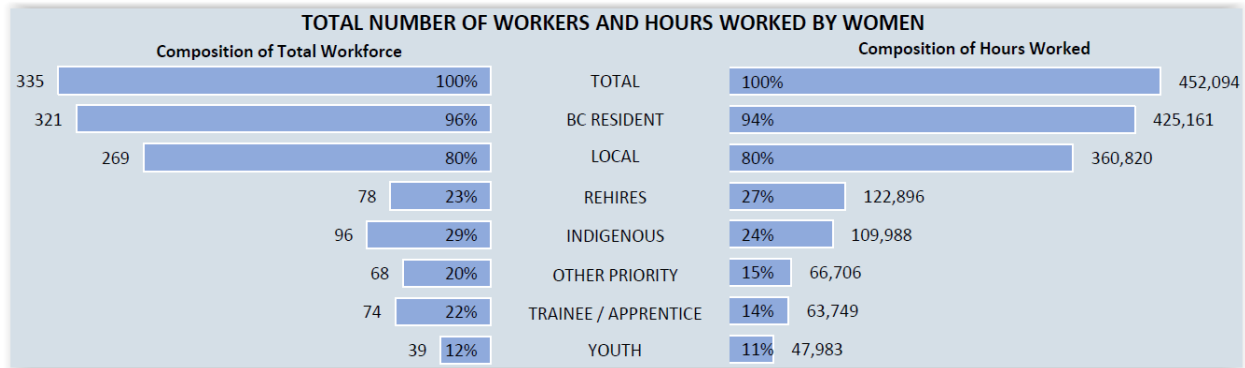
Note: Other priority includes equity, LGBTQ2S+, people with disabilities and visible minorities.
Source: BCIB data base from 7/8/ 2019 to 12/30/2023 for all projects (reproduced with permission)

The relatively small proportion of women in construction has been researched for many years. (Braundy 1989; Cohen and Braid 2000a; Buildforce Canada 2018; CAF 2023). While there is a broad consensus that the under-representation of women is a major concern, efforts to increase their proportion in on-site occupations have fallen short (Haan, Hewitt and Chuatico 2020). While numerous factors impede women

from entering- and remaining in- the workforce, two key ones are barriers to recruitment and the toxic culture that women often face on worksites.

As with the other metrics, BCIB is carefully tracking its progress in this area. In addition, it is also collecting data on specific sub-categories, most notably participation of Indigenous women.

Table 4



Note: Other priority includes equity, LGBTQ2S+, people with disabilities and visible minorities.
Source: BCIB data base from 7/8/ 2019 to 12/30/2023 for all projects (reproduced with permission)

BCIB’s database also includes information about which of the 19 building trades’ unions its female workers belong to and the contractors that supervise them.

THE IMPACT OF THE BCIB INITIATIVE ON UNIONS

The CBA ensured that all workers on BCIB sites in the classifications covered by the agreement would be – or become - union members. This results in more AIRCC union members on BCIB projects than relying on the success of unionized contractors in winning public infrastructure bids. As noted, about 60% of contracts go to non-union contractors. But the workers they supervise are unionized with BCIB, providing unions with additional dues revenue and new pension plan contributors. Working under a union contract may also persuade previously unorganized workers to support unions, while assuaging concerns of unorganized contractors winning bids on BCIB projects that unions would undermine their ability to operate profitably.

However, the CBA also imposes challenges for unions internally. Longstanding members may have concerns about the CBA’s hiring priority for contractors’ ‘name requested’ workers, as well as hiring preferences for local residents, Indigenous workers and equity group members before union members are selected. Longstanding members living elsewhere in BC, or Canada, may feel union membership should give them a higher priority, as is done where union hiring halls manage this function. Additionally, BCIB does not follow traditional union pathways for recruiting workers – pathways that often involve informal family, community and workplace connections.

Another challenge is that the CBA includes a number of obligations on unions and contractors not found in traditional PLAs. For some unions, PLAs with the unionized contractors they customarily work with remain attractive, given that they have established relationships and that they retain more control over recruitment of new workers to their respective trades. Additionally, while unionized contractors have endorsed the CBA in principle, because it offers the possibility of more contracts, they prefer PLAs if they can be obtained because of the fewer obligations entailed. Unionized contractors also prefer to be employers of the workforce rather than managing workers employed by BCIB. Unions thus face considerable pressure from

some unionized contractors to lobby the government to revert to traditional PLAs. However, the success of unionized employers in obtaining PLAs is not guaranteed. There is less public support for this approach which opponents can readily characterize as providing special treatment to organized contractors and their unions to the exclusion of non-union contractors. This highlights the fact that the interests of construction unions and contractors are not the same and can conflict over the extent of their support for the BCIB initiative.

Union membership on BCIB projects differs from unions' experience elsewhere in the organized industry. While some employees BCIB recruits will be AIRCC members, many will have joined their respective union as a condition of employment. This challenges unions to establish positive relationships with them, show that union membership is worthwhile and demonstrate the advantages of working under a collective agreement. Unions' response to this challenge affects how well new members integrate into their existing memberships.

A major union benefit for BCIB workers is that they get paid in full, including benefits and pensions. This is not a trivial issue. Non-payment of wages is common in construction. Contractors go bankrupt, leaving no money to pay the outstanding payroll. In the most extreme case, some just refuse to pay workers at the end of a project, forcing workers to pursue lost wages through the courts. Payment insecurity is another factor that undermines workers' long-term commitment to remaining in the industry.

OPPOSITION TO BCIB AND THE CBA

Implementing BCIB's mandate has involved significant changes to government procurement practice. Contract tender documents no longer focus, narrowly, on obtaining the lowest bid, leaving it to contractors to organize the work, including deciding who to hire, who to train and what to pay. The low bid approach – which is still used on some procurement contracts- has major advantages for government procurement managers. It is simpler, clearer and less likely to precipitate disputes from disgruntled bidders. In contrast, leveraging employment, training and social benefits from bidders by including additional conditions in procurement tenders makes tender documents more complex to draft and evaluate, adding significantly to the work involved which some may not welcome. When coupled with the fact that BCIB projects cost a bit more, support for this approach is not universal within the public service.

From its announcement, the CBA was controversial. Non-union contractors and major BC business interests challenged BCIB's role at the BC Labour Relations Board (LRB) (Smith 2018). Intervenors included BC's Independent Contractors and Business Association (ICBA), the Progressive Contractors Association (PCA), the BC Chamber of Commerce, the BC Construction Federation, the Canadian Federation of Independent Business, the Vancouver Regional Construction Association and various individual companies. In short, virtually all of BC's business sector, excluding unionized construction contractors, opposed the initiative (Smith 2018; Shaw 2018).⁶

Failing to derail the CBA at the LRB, they challenged it in the BC courts, arguing that it violated workers' charter rights. (Smith 2018; Woodin 2019; Woodin 2020; Supreme Court 2021). Critics' arguments that a union membership requirement denies choice to workers ignores much of BC's current labour relations practice. Such agreements are normal throughout BC's public sector, including at other Crown

⁶ The 2024 policy statement of the BC Construction Association states that: "the Association vigorously opposes any procurement practice or program, which seeks to confer exclusive bidding rights to firms based upon ...compulsory programs of employment equity, including any system of quotas related to age, gender, race, religion, or geographic location within the Province." [HTTPS://BCCASSN.COM/INDUSTRY-PRIORITIES/POLICY-STATEMENTS/#CONTRACT-OUT](https://bccassn.com/industry-priorities/policy-statements/#contract-out)

Corporations, such as BC Hydro and the Insurance Corporation of BC as well as teachers, nurses, health professionals, government employees and municipal workers.

The Christian Labour Association of Canada (CLAC), a competitor union federation not affiliated to the 19 AIRCC unions also challenged the CBA.⁷ It asserted that it was unfair for its members to be forced to pay dues to AIRCC unions when they were already members of CLAC. It saw the CBA as a sweetheart deal between the NDP and its favoured union supporters (Oostenbrink 2020; CLAC 2024). Despite these legal challenges, the government, BCIB and AIRCC succeeded in defending the agreement.

An example of the campaign against BCIB and the CBA is found in the polling carried out by one of its opponents. In 2018 PCA commissioned Mainstreet Research to obtain the views of BC residents about unionized PLAs which share many of the characteristics of the unionized CBA. (Mainstreet Research 2018; Frey 2018). The poll asserted that PLAs could raise costs of public construction by 20% to 30% and asked if participants thought this was acceptable. (No evidence was provided for the cost estimate). The poll indicated that "...British Columbians Oppose Restrictive Labour Agreements that Inflate Cost of Public Infrastructure Projects." It also asserted that "...77 per cent of decided respondents oppose restrictive labour agreements (Mainstreet Research 2018). Not surprisingly, the unions challenged the poll as fundamentally biased, while the government challenged the cost estimates of its opponents. (Frey 2018).

One reason for the hostility by business is that it signaled that the government was attempting to halt - and perhaps reverse - the long-term decline of unionized construction in the province. Union density had plummeted from being among the highest among Canadian provinces in the 1970s to among the lowest (BC Construction Association 2018; Morrissett 2022). Another objection was that it eliminates the role of contractors as employers. (BC Chamber of Commerce 2022; PCA 2024). Loss of the ability to hire and fire, while having to supervise the workforce within the terms of a collective agreement - and in cooperation with BCIB and the unions - represents a profound change to the traditional relationship between worker and employer.⁸

THE DEBATE OVER THE COST OF BCIB

BC business interests argue that the BCIB initiative dramatically increases infrastructure costs. Chamber of Commerce spokesperson, Jock Finlayson claimed this would add "hundreds of millions of dollars" to procurement costs (Finlayson 2018). Opposition parties have echoed these claims frequently in the BC Legislature, as documented extensively in Hansard. In justifying the initiative, the government was careful not to claim that it would cost the same as conventional low bid procurement. Instead, it initially estimated that the approach would add between 4% and 7% to overall procurement costs, amounting to between \$52 million and \$91 million, based on an average of \$2 billion annual expenditure on infrastructure projects (CSCU 2021). Costs would vary, as a percentage, on different projects due to size, location, type of construction, local labour supply, training requirements and the mix of workforce skills needed. It justified the extra costs as a sound investment in long-term workforce development. Recent Ministry of Finance data indicates that the additional costs are considerably less than originally estimated, in the range of 1% to 4% - most in the lower end - depending on the project, further strengthening the government's case (BCIB 2023).

BCIB's administrative costs have stabilized at about \$15 million, annually, supporting about 80 employees. (BCIB 2023). Former Finance Minister Carol James emphasized that much of this expenditure has been to

⁷ The difficult relations between CLAC and the other building trades' unions is discussed extensively by Tufts and Thomas in their analysis of the origins and activities of CLAC (Tufts and Thomas 2018).

⁸ The link to its website is: <http://moneywellwasted.ca/fake-cba/>

provide essential administrative services to employers – services that they would otherwise have to pay themselves. These include managing their payrolls, recruiting and training workers, handling HR, operating IT services, financial planning and paying statutory employer deductions such as EI, CPP and income tax. (Hansard August 11, 2020). While BCIB’s services may not be an issue for large contractors who have their own systems, smaller ones often find the administrative burden of meeting their payroll obligations quite significant, given that they do not enjoy economies of scale. So for many contractors the fact that BCIB handles these matters is a positive benefit.

Opponents have also claimed that unionization would reduce bid competition and drive up procurement costs. However, the government has found that there has been no shortage of bids on provincial infrastructure projects. Once contractors understand how the system works and that BCIB’s name request system will provide them with workers they customarily use on their other projects, they realize that having unionized workers supplied by BCIB is not an impediment to efficiently managing their contracts and, as noted elsewhere in this article, can have significant benefits for them.

There is considerable evidence from both national and international studies that PLAs and CBAs are not significantly more costly than traditional infrastructure projects (Belman, Ormiston et. al. 2010; Phillips and Littlehale 2015; Cremers and Wixforth 2015; Day and Merkert 2023). Governments have increasingly included social, employment and training requirements in their procurement tenders as a way of leveraging additional benefits from their infrastructure projects. This reflects the view that the benefits of these requirements are far greater than the marginal costs they may impose on construction purchases. There is now a significant body of research on the advantages of community benefits’ provisions, both in Canada and in other jurisdictions (Graser 2016; Olatoye, Ong et. al. 2019; Fry 2024)

Underlying business claims that the CBA raises costs – but not normally stated publicly – is the assumption that unionized workers are over-paid and that much of the training associated with the apprenticeship system is not needed. While critics are circumspect about arguing that workers should get less, in reality paying low wages is an integral part of the way many contractors keep their bid costs down. Bidders also cut costs by choosing not to invest in training and apprenticeships, placing the burden of training costs on individual workers and on governments. These practices benefit individual contractors. But the “savings” are at the expense of developing and keeping a skilled workforce. Low bid working conditions also make construction far less attractive as a career option, leading to high attrition rates and a significant waste of the personal investment many apprentices and journey workers leave behind when they exit the industry.

MANAGING RELATIONS WITH CONTRACTORS

BCIB provides bidders with timely and project-relevant labour market information. Its responsibility for finding and assigning qualified workers to job sites provides a valuable service to many contractors, particularly smaller ones with limited capacity to search BC’s labour market, an issue of particular importance given the province’s skills shortages. BCIB has built a major database, based on its extensive outreach network, to identify local and BC trades’ workers with the various skills required for its projects. This also includes individuals who wish to access its training programs. It offers relevant information to bidders on its projects.

This addresses a major problem for many small contractors whose knowledge of local labour markets is limited and who often find it difficult to locate the specific trades’ workers they require, given their limited resources. BCIB’s commitment to supplying the workforce they require addresses one of the challenges many have in locating the workers they need. It also means they can take this into account in deciding whether to bid on projects because it removes a major area of uncertainty. Due to its size and its provincial training and employment mandate, BCIB has been able to invest significantly in identifying future provincial labour and training requirements for the kind of projects it will manage, based on projections of

future provincial economic activity. It shares this information with the contractors with whom it works. Unlike individual contractors who may view such information as proprietary because it can give them a ‘leg up’ on their competitors, BCIB’s mandate is to promote the province’s construction industry, so sharing this information is seen as good public policy.

While contractors do not employ the workforce, they organize and manage the work and assign tasks to BCIB’s employees. Their cooperation is essential to achieve BCIB’s apprenticeship and workforce development goals. Contractors’ supervisory practices can contribute significantly to achieving a welcoming workplace culture and supporting its equity initiatives. Building positive relations with the numerous contractors on its worksites is, therefore, a central part of BCIB’s job. To this end, its staff meet with potential new contractors as part of the pre-bid process and, again, with successful bidders before they start their jobs to explain its role and the CBA. It has prepared a Subcontractor Guide to answer contractors’ questions about BCIB’s functions and the role of unions on building sites (BCIB Subcontractor Guide 2022).

Contractors remain responsible for workforce supervision, including recommending discipline, suspension and termination. But they have to notify BCIB when they impose disciplinary measures. Contractors dissatisfied with work performance can ask BCIB to re-assign or dismiss workers. BCIB must investigate and determine how to respond, bearing in mind the need to meet reasonable production standards, respect workers’ rights and consult with the union.

From the government’s perspective, the ongoing turnover of contractors and workers – a characteristic of the project nature of construction - exposes them to the CBA and BCIB’s training and workforce welcoming programs. Consequently, it hopes to change attitudes and behaviours on job sites, facilitating a more welcoming workplace culture that accommodates a diverse workforce. As both contractors and workers will work on other projects outside the CBA in the future, BCIB may have a wider, although modest, influence on the culture of BC’s construction industry, a major government goal.

IMPACTS ON WORKERS

BCIB’s explicit goal of making workplaces more welcoming and providing a more decent work environment differentiates it from the mainstream industry which is more narrowly production focused. It also contrasts with much of what governments have done in the past to address skills shortages through providing generous incentives to employers to expand apprenticeship and diversify their workforces. In attempting to change the prevailing workplace culture, BCIB is using its role as an employer to address a key factor responsible for the poor outcomes of these expensive initiatives: the actual experience workers have on the job site.⁹ BCIB’s support for training and apprenticeship, its efforts to retain skilled workers in the industry by promoting employment continuity and its focus on local hire so people can find jobs in their own communities, represent a significant long-term investment in the industry’s workforce. These initiatives are backed up by on-site changes that facilitate worker retention, enabling BCIB to tackle challenges that other approaches have failed to solve, despite the enormous amount of federal and provincial money governments have allocated to addressing skills shortages in recent decades (Meridith 2011; Hyslop 2012; Mills 2017).

⁹ Gerhard Bosch & Claudia Weinkopf, “Reducing Wage Inequality: The Role of the State in Improving Job Quality,” *Work and Occupations* 44, 1 (2017); BC Building Trades, *Apprenticeship & Training Report 2019* (New Westminster: 2019), <https://bcbuildingtrades.org/wp-content/uploads/2019/05/BC-Building-Trades-2019-apprenticeship-report-Feb-6-web.pdf>; Ontario Construction Secretariat, *Project Agreement Guide* (Toronto: July 2021), <https://iciconstruction.com/wp-content/uploads/2021/07/OCS-Project-Agreement-Guide.pdf>.

Easy to overlook in assessing BCIB is its impact on the lives of the workers themselves. Its efforts to create welcoming, inclusive and respectful workplaces are valuable initiatives in their own right. They address major problems that currently exist in BC's construction industry. Making the working lives of people better on the job is a perfectly legitimate and desirable objective of public policy. Workers benefit from having the opportunity to acquire the knowledge, skills and competencies of a qualified journey worker, both in the personal satisfaction associated with the learning process and the subsequent ability to exercise agency on worksites, important components of job satisfaction

CONCLUSION: CAN THIS BE A MODEL FOR CANADA'S CONSTRUCTION INDUSTRY?

The establishment of BCIB and its CBA with the unions is a unique experiment in restructuring construction employment relations. It is dependent on the willingness of government to implement the necessary legislation, coupled with the support of the building trades unions. Although focused on BCIB's specific projects, it has the potential to influence the broader industry by example and through the flow of contractors and workers passing through its employment system. Through its comprehensive data system, uniquely, it can monitor progress on key training and employment metrics in real time, facilitating timely interventions. Most importantly, it offers a pathway for improving the on-site experience of construction workers, making the industry more attractive as a long-term career. BCIB and its CBA are not solutions for all the industry's complex problems. But the initiative demonstrates a way to tackle some of its most pressing challenges.

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