

Bob Mollette

3rd Ward Councilman

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May 17, 2007

Jim Kalb, Mayor
728 Second Street
Portsmouth, Ohio 45662

Honorable Council Members
728 Second Street
Portsmouth, Ohio 45662

Re: **Working Together for a Better Tomorrow in the City of Portsmouth**

In an effort to better understand our community's problems and identify ways to meet our challenges I attended an insightful and inspiring meeting held on Tuesday May 15, 2007, at the Portsmouth Inner-City Development Corporation (PIDC). This meeting provided details of a new program within the PIDC organization, *Pre-Apprenticeship Training*, which is being sponsored by the Ohio Council of Urban Leagues and funded through the Department of Job and Family Services. The new program will be helping low income, unemployed and underemployed individuals, including minorities and females, achieve a successful and long term career in the building and construction industry. This program will actively promote the participation of community members who are frequently overlooked in such economic endeavors and thus contribute to economic growth of our entire community. In order to be successful the new program will need the partnership and support of our community.

To support this new program goal, the City of Portsmouth (political jurisdiction) should consider adopting the enclosed draft of an ordinance/resolution titled *Special Employment and Training Provisions*. The proposed ordinance/resolution would require new construction projects within the public works contracting and procurement areas to promote a labor workforce that reflects the ethnic diversity of our City.

To solve citizen concerns that may be felt but not often discussed candidly, City Council should consider implementing the *Citizens Council on Human Relations* as described in our codified ordinance Chapter 161 (enclosed). The Citizen Council is comprised of residents that advise and consult with City Council and the City Administration to make recommendations to help eliminate prejudice or discrimination against individuals or groups because of race, color, creed, ancestry or place of origin, and to help adjust frictions in human relations in all aspects of life, in the interest of improving the welfare of all members of our community.

I believe our community would be greatly enhanced through meaningful dialogue and appropriate actions to accommodate **all** dreams within our community. Please contact me if you should have any questions.

Respectfully,



Bob Mollette, 3rd Ward Advocate and Representative on City Council

rwm

W/enclosure

CC: Maxine Malone, Executive Director *Portsmouth Inner-City Development Corporation*
Patrick Harris, Program Coordinator *Ohio Valley Minority Business Association, Inc.*
Clemmy Womack, Executive Board Member *Portsmouth Inner-City Development Corporation*
David Kuhn, Solicitor
Trent Williams, Auditor
Jo Ann Aeh, Clerk (Record)

Draft -Special Employment and Training Provisions

Section 1 Purposes.

Policy Purpose. The purpose of the «JURISDICTION» Special Employment and Training Provision is to ensure that employment and training opportunities generated by «JURISDICTION» shall, be directed in a manner that most benefits the «JURISDICTION» its residents, their families and other residents of surrounding areas. To accomplish that purpose the «JURISDICTION» establishes objectives with regard to its contracting and procurement activities. Each engagement, procurement and each project will:

- actively promote the participation of community members who are frequently overlooked in such economic endeavors and thus contribute to economic growth of our entire community.
- increase the economic earning power of all of the «JURISDICTION»'s citizens
- increase opportunities for residents including placements for vocational programs, on-the-job training, and apprenticeship opportunities.
- maximize the creation of living-wage jobs for «JURISDICTION» residents
- promote a labor workforce that reflects the ethnic diversity of the geographic jurisdiction of the «TYPE_OF_JURISDICTION».
- ensure that all citizens have a fair and equitable opportunity to participate.

Program Purpose. This purpose of this Special Employment and Training Program is to establish the standards and procedures including a preference system to insure that the policy purposes described in Section 1 (a). are achieved and that disadvantaged individuals and local residents have an equitable opportunity to participate in the employment and training opportunities generated by the «JURISDICTION» and that disadvantaged individuals and local residents earn a living wage.

General. The «JURISDICTION» Special Employment and Training Program establishes the standards and procedures including a preference system to insure that the policy purposes described in Section 1 (a) and (b) are achieved and that local residents and other disadvantaged individuals have an equitable opportunity to participate in economic opportunities generated by the «JURISDICTION».

Draft -Special Employment and Training Provisions

Section 2.1 Goals

Disadvantaged Individual, Other Local Resident Employment and Training Goals. To accomplish those purposes described in Section 1 (a) and (b) the «JURISDICTION» establishes the following goals with regard to its contracting and procurement activities.

Disadvantaged Individual Employment goals. The goals and timetables for minority and female participation, expressed in percentage terms for the Contractor's aggregate workforce in each trade on all construction work in the covered area, are «MINORITY_HIRING_GOAL_» for minorities and «FEMALE_HIRING_GOAL_» for females. These goals are applicable to all the Contractor's construction work (whether or not it is funded by «JURISDICTION») performed in «LOCATION__COUNTY» or contiguous counties (covered area). The percentage of work hours of employment these individuals shall be substantially uniform throughout the length of the work on the covered project. The procedures, requiring affirmative action programs to assure appropriate levels of participation by minority and females in Chapter 123:2-3 the Ohio Administrative Code and/or 41CFR 60-4 are applicable.

Other Local Resident Employment Goals. This workforce participation program expressed in percentage terms for the Contractor's workforce in each trade on all construction work on «JURISDICTION» projects is at least «RESIDENT__HIRING_GOAL_». To achieve the goal of «JURISDICTION» resident participation of at least «RESIDENT__HIRING_GOAL_» of all on-site working hours dedicated to construction projects, Contractors are required by this special employment and training program to use good faith efforts to employ «JURISDICTION» residents to provide on-site labor in connection with «JURISDICTION» construction projects and to otherwise achieve the goals of the workforce participation program.

The goals described in Section 2 (b) 1 and (2) residents and disadvantaged individuals participation are expressed in work hour percentage terms and are applicable to each trade within each contractor's or subcontractor's work force in the covered area in Section 1 (b) (1) and the «JURISDICTION» project in Section 1 (b) (2) The percentage of work hours of employment these individuals shall be substantially uniform throughout the length of the work on the covered project(s). Neither the provisions of any collective bargaining agreement, nor the failure by a union with whom the Contractor has a collective bargaining agreement, to refer minorities, women or local residents shall excuse the Contractor's obligations under this program.

To the extent that an individual worker is both, a resident and disadvantaged individual, the participation shall be counted toward each goal.

Draft -Special Employment and Training Provisions

To assist in the achievement of the goals and the overall intent of Section 1

(b) (1) and (2) the following training goals are applicable

When the work force for any trade within a contractor's total work force reaches 4 workers, at least 1 of those persons shall be a priority (i) individual, who is enrolled in an approved program certified by the Ohio State Apprenticeship Council or the United States Department of Labor, Bureau of Apprenticeship and Training including the Ohio Council of Urban League's Step-Up Program.

When the work force for any trade within a contractor's total work force reaches 8 workers, at least 2 of those persons shall be at least a priority (i) individuals, who are enrolled in an approved program certified by the Ohio State Apprenticeship Council or the United States Department of Labor, Bureau of Apprenticeship and Training including the Ohio Council of Urban League's Step-Up Program.

When the work force for any trade within a contractor's total work force contractor reaches 12 workers, at least 3 of those persons shall be priority, of which at least 2 must be priority (i), and 1 priority (i) or (ii) individuals, who are enrolled in an approved program certified by the Ohio State Apprenticeship Council or the United States Department of Labor, Bureau of Apprenticeship and Training including the Ohio Council of Urban League's Step-Up Program.

For each 4 workers employed thereafter in each trade, at least 1 of those shall be shall be priority of which at least 2 must be priority (i), and 2 priority (i), (ii) or (iii) individuals , who are enrolled in an approved program certified by the Ohio State Apprenticeship Council or the United States Department of Labor, Bureau of Apprenticeship and Training including the Ohio Council of Urban League's Step-Up Program.

When a first tier contractor awards subcontracts and the work force of individual subcontractors do not reach the minimum limits required for the utilization of disadvantaged resident apprentices, it shall be the responsibility of the first tier contractor to insure that the aggregate work force of those subcontractors are responsive to the goals set forth in Section 1.1 (b) 3 (i), (ii), (iii) and (iv).

The Contract Compliance Director shall make a determination as to goals for Section 1 (b) (4) and 1.1 (b) (5) on a contract by contract basis.

CHAPTER 161
Citizens Council on Human Relations

- 161.01 Establishment and membership.**
161.02 Duties and responsibilities.

CROSS REFERENCES

Fair employment practices - see Ohio R.C. Ch. 4112
Fair housing practices - see ADM. Ch. 171
Interfering with civil rights - see GEN. OFF. 525.12
Ethnic intimidation - see GEN. OFF. 541.08

161.01 ESTABLISHMENT AND MEMBERSHIP.

There is hereby established a Citizens Council on Human Relations, to be comprised of such number of residents of the City as Council shall determine and appoint.
(Ord. 1978-73. Passed 7-11-78.)

161.02 DUTIES AND RESPONSIBILITIES.

The duties, responsibilities and scope of activities of the Citizens Council on Human Relations shall be:

- (a) To collect and analyze information on local conditions affecting intergroup relations;
- (b) To receive and investigate complaints and initiate its own investigations, as it may deem advisable, of religious, racial or ethnic group prejudice, tensions or discrimination in any segment of community life;
- (c) To offer its advice to any group, firm, association or agency which may request it;
- (d) At the request of Council or the Mayor, to make studies and recommendations with reference to any situation or specific problem involving intergroup relations;
- (e) To watch for and make recommendations for such remedial action as may be deemed necessary to reduce or avert strife or tension in intergroup relations;
- (f) To cooperate with local, State and Federal departments or agencies of government to reduce prejudice, tension and discrimination in the field of human relations, within the scope and framework of the program for which the department or agency is responsible;
- (g) To advise and consult with Council and the City administration and make recommendations on all matters involving intergroup relations or religious, racial or ethnic prejudice or discrimination;

- (h) To stimulate cooperative efforts among various segments of the structure of this community, including religious and civic organizations, business and industrial organizations, churches, schools, social agencies, fraternal and labor associations, etc., to improve intergroup relations throughout the entire community;
- (i) To do everything practicable to help eliminate prejudice or discrimination against individuals or groups because of race, color, creed, ancestry or place of origin, and to help adjust frictions in human relations in all aspects of life, in the interest of improving the welfare of all members of the community.
- (j) To review and approve all grants made under the Housing Rehabilitation Program to low and moderate-income families.
The Mayor, City Solicitor and one member of Council shall comprise a subcommittee, in addition to the Citizens Council to review and approve such grants.
(Ord. 1978-73. Passed 7-11-78.)