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Résumé de l'article

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# British Columbia's Community Benefits Agreement: Economic Justice for Indigenous Workers in Relation to Union Politics in Urban Infrastructure Projects

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# British Columbia's Community Benefits Agreement: Economic Justice for Indigenous Workers in Relation to Union Politics in Urban Infrastructure Projects

## Abstract

British Columbia's Community Benefits Agreement that aims to provide jobs in the construction trades for underrepresented groups serves as a case to explore the successes and barriers to distributing the benefits of urban development to Indigenous groups towards the goal of economic justice. Through a content analysis of stakeholder interviews and documents about the agreement, we found that, while there is optimism that the CBA may help advance public discourse on economic justice for Indigenous Peoples, there are significant barriers that have gone unaddressed in this and other labor agreements due to a lack of community engagement. These include lack of transportation, continued marginalization of Indigenous workers into unskilled labor, and the reinforcement of dependence on non-Indigenous economies.

## Keywords

community benefits agreements, workforce development, First Nations, infrastructure, economic justice

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## **British Columbia's Community Benefits Agreement: Economic Justice for Indigenous Workers in Relation to Union Politics in Urban Infrastructure Projects**

In recent years, workforce development policies and impact benefit agreements have engaged with the challenge of advancing economic justice for Indigenous Peoples by providing employment opportunities and other economic benefits to compensate for the impacts of development. In 2018, the British Columbia (BC) government announced a province-wide agreement with a coalition of 19 prominent unions (the Allied Infrastructure and Related Construction Council of British Columbia [AIRCC]) that is referred to as a Community Benefits Agreement (CBA). While similar agreements have been made with Indigenous groups for specific projects, the CBA uniquely covers infrastructure projects across the province that mostly service urban areas and requires that the AIRCC increase the representation of Indigenous people<sup>1</sup> in the construction workforce. The agreement aims to address the province's looming labor shortage in the construction trades and increase the representation of Indigenous people (among other underrepresented groups) (Community Benefit Coalition of BC, 2019). The BC Infrastructure Benefits Board (BCIB) has invoked Canada's Truth and Reconciliation Commission's (TRC) Calls to Action and the Universal Declaration of the Rights of Indigenous Peoples (UNDRIP) in their public statements around the Agreement, as well as the province's Declaration on the Rights of Indigenous Peoples Act (Government of British Columbia, 2020).

In Canada, Indigenous populations are a rapidly growing demographic. Between 2006 and 2016, the Indigenous population grew by 42.5%, which was more than four times faster than the growth of the non-Indigenous population over the same period (Statistics Canada, 2019). According to Statistics Canada, in 2016, Indigenous peoples made up 5% of the Canadian population, but are expected to account for up to 6.8% of the Canadian population by 2041 (Statistics Canada, 2021). As of 2016, more than half of the Indigenous population in Canada lives in western provinces, with 17.7% of the Indigenous population living in British Columbia (Statistics Canada, 2019). It is important to note that Indigenous people are economically and socially marginalized in Canada and experience lower life expectancies and levels of education, as well as higher unemployment rates when compared to their non-Indigenous counterparts. For example, in 2011, census data showed that Indigenous men had a life expectancy that was 8.9 years shorter than non-Indigenous men, and Indigenous women had a life expectancy that was 9.6 years shorter than non-Indigenous women (Tjepkema et al., 2019). As of 2016, Indigenous women were 15.2% less likely and Indigenous men were 17.6% less likely to attain a post-secondary qualification when compared to their non-Indigenous counterparts (Arriagada, 2021). As of 2021, the Indigenous labour force had an unemployment rate of 11.6%, while the non-Indigenous labour force has an unemployment rate of 7.4% (Statistics Canada, 2022).

While the scholarship on community benefits agreements has at times focused on winning benefits for underrepresented communities in the construction trades, there has been little research on how CBAs

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<sup>1</sup> The Agreement itself refers to "Indigenous people" which is inclusive of First Nation, Métis, and Inuit.

can be leveraged to promote economic justice for Indigenous Peoples in urban settings. Both CBAs and impact benefit agreements are most often established on an ad hoc, project-by-project basis and have shown both successes and failures when it comes to their goals of sharing the economic benefits of projects. Additionally, the adoption of policy-mandated CBAs has become more prominent (normally at the municipal level) in the hopes of producing more consistent and enforceable benefits agreements, the outcomes of which are both still being studied by scholars and being tested by governments at multiple levels. Through an examination of the early years of implementation of British Columbia's Community Benefits Agreement, we aim to identify the barriers and opportunities for this provincial scale CBA to promote economic justice for Indigenous Peoples through workforce development.

### **A Note on Economic Justice**

“Economic justice,” while not typically used in literature on decolonization or Indigenous sovereignty, is an important goal of the accountable development movement which has produced CBAs (Gross et al., 2002; Parks & Warren, 2009). Scholars argue that a clear distinction is needed between fights for “justice” and the struggle for decolonization (Tuck & Yang, 2012). According to Tuck and Yang (2012), decolonization is a distinct process of removing settler cultural, social, and economic systems in an effort to achieve Indigenous sovereignty and self determination, and “cannot easily be grafted onto pre-existing discourses/frameworks [of human rights or civil rights], even if they are critical, even if they are anti-racist, even if they are justice frameworks . . . Decolonization doesn't have a synonym” (p. 3). In its attempt to bring economic opportunity in the form of jobs produced by existing economic structures in the construction trades, British Columbia's CBA should be viewed as an effort towards distributive justice which can be defined as the socially just allocation of resources and opportunities (Jasso et al., 2016); this is a different objective from decolonization. Conceding that the CBA can not be considered an effort towards decolonization or Indigenous sovereignty because they attempt to draw economic opportunity for Indigenous workers from practices of the settler state, this paper focuses on evaluating the agreement according to what is often a main aspiration of CBAs: economic justice.

Drawing from the literature and the work of advocacy groups and CBA campaigns, our analysis rests on a definition of economic justice based on one's right to: 1) organize to resist unequal compensation for work due to socioeconomic status<sup>2</sup> (Fine, 2011; Franklin, 2014; Southern Poverty Law Center, 2021); 2) have equitable access to work that is fairly compensated and is secure in the long term (rather than piecemeal, one-off opportunities) (Truth and Reconciliation Commission of Canada, 2012); 3) agency to determine one's own line of work and derive economic opportunity from such work (i.e., economic self-determination) (United Nations, 2007); 4) recognize and validate alternative and diverse economies (Bledsoe et al., 2019). These characteristics of economic justice connect to themes of UNDRIP and the TRC Calls to Action. We view UNDRIP's commitment to economic self-

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<sup>2</sup> By socioeconomic status, we mean the opportunities to access economic resources as determined by the intersection of one's class, race, ethnicity, immigration status, ability, and/or gender profiles.

determination as related to economic justice (Robison et al., 2018; United Nations, 2007). Although UNDRIP's mandate is not explicitly described as "economic justice," they are in substance similar. Further, the TRC's calls to action that call for "long-term, sustainable benefits from economic development projects" represents common attributes with that concept of economic justice (Truth and Reconciliation Commission of Canada, 2012, p. 10). In accordance with Tuck and Yang's (2012) definition, neither UNDRIP nor the TRC's Calls to Action should be understood as decolonizing, as they aim to redistribute resources in a just fashion without shifting away from settler governance systems or economies.

## Literature Review

### Government Brokered CBAs

Since the 1990s, community benefits agreements have become popularized as a way for communities local to a development to win benefits such as affordable housing, jobs, and services or amenities, in exchange for political support for the project (Gross et al., 2002). While historically CBAs have been extra-governmental arrangements between local communities and developers, governments have been increasingly directly involved in brokering both project-based agreements and passing legislation (like Detroit's Community Benefits Ordinance and Vancouver's citywide Community Benefits Agreement) to mandate benefits for development (Berglund, 2020; Wolf-Powers, 2010). Some scholars argue that the government should not have a primary role in the negotiation, implementation, or enforcement of CBAs due to biases towards developers and what are sometimes weak enforcement mechanisms (De Barbieri, 2015; Parks & Warren, 2009). Others argue that the government's involvement in CBAs is crucial to their success or even unavoidable, particularly with regards to implementation and enforcement (Eppes, 2018; Ho, 2007; Wolf-Powers, 2010).

According to Gross (2008), the term "CBA" has at times been co-opted by parties with interests that compete with community desires. CBAs are increasingly used for agreements that have been negotiated by government officials, their political supporters and/or groups representing business interests, rather than between community groups and developers. Nugent (2017) raises the concern that when governments work with community coalitions to broker community benefits agreements, there is a tendency for politicians and government agencies to use CBA negotiations "as a 'good news story' to make [themselves] appear friendly to trade unions and equity-seeking groups" and that, they "give an appearance of democratic engagement without conceding any power, or worse, being used as political cover for deepening neoliberal governance" (pp. 87, 91). Questions are also raised about the motives of labor unions when they are major stakeholders, with concerns that negotiations can be swayed by labor movement politics, instead of truly being representative of community interests (Wolf-Powers, 2010). In the cases of government brokered CBAs that involve labor unions, the goal of bringing benefits to a community often goes hand-in-hand with agendas to increase union membership and gain political support in underrepresented communities broadly, which is not always consistent with the advancement of local community agendas (Nugent, 2017). In contrast, Leavitt (2006) and Parks and Warren (2009)

draw attention to the historic successes of community-labor coalitions in CBAs, considering them a benchmark for successful agreements.

A fundamental challenge to project-based CBAs bringing economic justice to communities lies in their reformist tendencies and their inability to serve as a true alternative to neoliberal governance (Nugent, 2017). According to Kulchyski and Neckoway (2006), CBAs and similar agreements, when made with Indigenous Peoples, are steeped in a “mentality [that] treats local peoples, mostly First Nations and Metis, as obstacles whose support should be purchased with the minimum possible expenditures” (p. 3). While CBAs aim to bring benefits to underrepresented communities, some argue that “exacting benefits or zoning changes for the particularist interests of neighborhoods on an ad hoc basis circumvents the fundamental goals of comprehensive city planning” (Nugent, 2017, pp. 88–89); for this reason, the role of British Columbia’s provincial CBA is an important case and may advance our understanding of how the benefits of CBAs might be distributed consistently across a wider geography.

### **Impact Benefit Agreements and Indigenous Workforce Development**

Related to CBAs, impact benefit agreements (IBAs) are agreements negotiated between Indigenous communities and successful project proponents (usually in the resource extraction industry) which aim to ensure that Indigenous communities receive benefits for the projects that take place on their land, and may also be used to mitigate the adverse environmental impacts of these projects (Caine & Krogman, 2010; Gogal et al., 2005; Hitch & Fidler, 2007). These benefits often include employment and training opportunities, but may also involve other benefits, such as profit-sharing and business development opportunities (Caine & Krogman, 2010; Hitch & Fidler, 2007). The amount of success these agreements have depends on the case, but they have shown the potential to greatly increase Indigenous representation in certain sectors (Caron et al., 2019). Abele (2017) notes that when large resource extraction infrastructure and operations are placed near Indigenous communities, there are several areas of insufficient knowledge that negatively impact the effectiveness of IBAs, including lack of Traditional Knowledge, lack of analysis of socioeconomic factors, and a lack of understanding of environmental issues such as water quality and habitat loss. He further highlights that there is a common belief that introduction of Indigenous peoples into the wage economy through benefits like jobs and workforce development will improve socioeconomic issues; however, with a lack of these forms of knowledge about Indigenous communities and their context, he argues that the impacts are inconclusive (Abele, 2017).

IBAs are different from the typical CBA (though closely related), as they always involve an Indigenous community as one of the negotiators, in lieu of what is usually a community coalition. IBAs (and most traditional CBAs) also differ from the case of British Columbia’s community benefits agreement in that they are project based and organized on an ad hoc, case by case basis. It is important to note that in the case of the non-renewable energy production and resource extraction industries in Canada, agreements that provide benefits such as employment, training, and profit sharing are now fairly standard, though the degrees of success of these agreements are up for debate (Abele, 2017). Key aspects that impact the

success of workforce development in such agreements include having clearly defined hiring targets; providing training, culturally appropriate community outreach, and additional supports like childcare and mentorship and including strong monitoring and enforcement mechanisms (Nugent, 2017).

Experts on the topic of Indigenous workforce development discuss many barriers that prevent Indigenous workers from entering or staying in the workforce or being included in the benefits of IBAs. These include barriers to formal education and lack of recognized job experience due to the historic segregation of the skilled trades (Cahill, 2018; Caron et al., 2019; Purdie et al., 2006), inaccessible application processes (Cahill, 2018; Sloan & Oliver, 2009), socio-economic disadvantages, physical distance from workplaces, commitment to traditional activities (Caron et al., 2019), and discrimination and racism in the workplace (Caron et al., 2019, Purdie et al., 2008). Others have also found that directly addressing these barriers to employment in resource extraction industries contributes to financial stability, helps develop skills, and potentially allows for participation in land management (Haley & Fisher, 2012; Loxton et al., 2012; Ritter, 2001).

Though there are success stories that support the positive effects of Indigenous workforce development strategies, there are still challenges that need to be addressed, and room for these strategies to be improved. Just as with CBAs, concerns can be raised about whether IBAs represent true alternatives when it comes to economically just policy, or whether they serve as a way to reproduce neoliberal governance structures. McCreary and Turner (2018) state that, “These contractual agreements reflect a neoliberal model of governance through the market rather than a commitment to uphold public obligations to Indigenous peoples” (p. 236), and that more than anything, “These initiatives attempt to relegitimize resource extraction as an instance of Indigenous-corporate partnership . . . IBAs reflect the imposed capitalist legalities of private contracting and exist in considerable tension with Indigenous modes of conducting lawful relations” (p. 227). By this argument, traditional IBAs that have become commonplace therefore may not help to promote economic or environmental justice through implementation of development benefits. Additionally, some argue that Indigenous workforce development strategies run the risk of making Indigenous communities dependent on the settler state, which could hinder the achievement of self-determination, as well as the creation of economically sustainable communities (Brereton & Parmenter, 2008; Holcombe & Kemp, 2020); others describe what can be an unbalanced power dynamic that puts Indigenous groups at a disadvantage during the negotiation of labor agreements (Caine and Krogman, 2010; O’Faircheallaigh & Corbett, 2005).

While the literature about Indigenous workforce development has provided insights into barriers to Indigenous employment opportunities and some suggestions for mitigating these barriers, it tends to focus on specific fields such as forestry, mining, and healthcare, and less on urban development or infrastructure as is the case with British Columbia’s CBA. In addition, impact benefit agreements covered in the literature analyze the effectiveness of one-off, project-based agreements, rather than blanket agreements meant to apply to projects in an entire, large-scale geography, as British Columbia’s CBA does. By researching this Agreement, this paper will assess a unique example of an Indigenous



workforce development strategy that follows the current trend of increasingly popular government-brokered CBAs to incorporate jobs for Indigenous Peoples into urban development. We aim to address a gap in the literature that has not yet been explored: the role of government brokered CBAs in efforts towards economic justice for Indigenous Peoples through urban development.

### **Methods**

This research is a thematic analysis of stakeholder interviews, policy documents, and informational materials. In total, we interviewed 17 people who belong to the following five groups: 1) Representatives from labor unions (from 4 AIRCC unions and 2 non-AIRCC ); 2) Representatives from provincial workforce training authorities (2); 3) Contractors who have business partnerships with Indigenous communities in BC (3); 4) Representatives of Indigenous communities that have been impacted by the CBA (4); and 5) Members of resource management consultancy firms who represent Indigenous communities in negotiations for the CBA (2). In total, seven out of 17 participants self-identified as Indigenous. One limitation of our sample of stakeholders is the lack of representation from the BC Infrastructure Benefits Board, which was created to implement and enforce the BC CBA, or the BC Community Benefits Office, which was responsible for the development of the BC CBA. All representatives from these groups declined to be interviewed.

Participants were asked questions tailored to their experiences with the CBA, infrastructure development, and Indigenous workforce development. Generally, the interview questions asked participants for their opinions about whether or not the CBA will change how infrastructure development impacts Indigenous communities, or how infrastructure development is done in BC. While not explicitly using the terminology of “economic justice,” questions were asked related to different aspects of the concept of economic justice. They were asked about whether the CBA adequately addressed the needs and desires of Indigenous communities, whether it will reduce the barriers that Indigenous people experience in the construction trades, and whether it will provide any other types of economic opportunities for Indigenous communities. Indigenous participants were also asked whether they felt that Indigenous communities were adequately engaged with during the process of developing the CBA. The documents analyzed and informational materials in this study included the CBA policy, websites and materials created by both the province and AIRCC unions, TRC Calls to Action, UNDRIP, and media articles.

We analyzed the interview data and documents using qualitative coding (Saldaña, 2012). Coding involves determining relevant themes, locating said themes in the data, and analyzing nuances within the data associated with a given theme. Informed by the literature and our research questions, our first inductive round of coding included (but was not limited to): experience with the development or implementation of the CBA, infrastructure development and negotiations, Indigenous workforce development and economic development, recommendations for the CBA, and, for Indigenous participants, we also asked about their personal experiences with workforce development. Themes then emerged from the data such as housing challenges, transportation challenges, concerns about economic

opportunities available, and concerns about job quality. The data for this research was done with the approval of a research ethics board, with special consideration and permissions due to the engagement of Indigenous participants.

### **British Columbia's Community Benefits Agreement**

In July 2018, the BC Government announced a province-wide CBA framework which ensures that public infrastructure projects prioritize the hiring of local, under-represented workers, such as Indigenous people, placing them at the top of its priority hiring list (BC Infrastructure Benefits Inc. and Allied Infrastructure and Related Construction Council of British Columbia, 2018; Community Benefits Coalition of BC, 2019). In addition to priority hiring, the framework also puts emphasis on implementing strategies to help Indigenous employees transition to work by providing additional training programs, including Indigenous Cultural Competency Training, and ensuring that all workers are paid equitable wages (BC Infrastructure Benefits Inc. and Allied Infrastructure and Related Construction Council of British Columbia, 2018) (see table 1 for a summary of the Agreement and its outcomes to date).

**Table 1. British Columbia's CBA Benefits, Outcomes, and Enforcement**

<b>BC CBA description:</b>	<ul style="list-style-type: none"> <li>● An agreement between the BCIB, a provincial crown corporation, and the AIRCC, a group of labour unions, which establishes the mandatory provision of community benefits for any public infrastructure project initiated under the agreement.</li> <li>● Meant to promote the hiring and retention of Indigenous workers, local residents, and other Equity Groups who are underrepresented in the construction trades (women, workers with disabilities, etc.) (BC Infrastructure Benefits Inc., and Allied Infrastructure and Related Construction Council of British Columbia, 2018.)</li> </ul>
<b>Benefits included in the CBA:</b>	<ul style="list-style-type: none"> <li>● Priority hiring for Indigenous peoples, Equity Groups, and Local Residents</li> <li>● Training and apprenticeship programs for Indigenous peoples, Equity Groups, and Local Residents</li> <li>● Prioritizing apprenticeships (25% target ratio of apprenticeship hours to journey person hours)</li> <li>● Mandatory Respectful Workplace and Anti-Bullying and Harassment Training, Be More Than a Bystander, Foundational Safety Training, and Indigenous cultural competency training for all workers on CBA Projects (BC Infrastructure Benefits Inc., and Allied Infrastructure and Related Construction Council of British Columbia. 2018.).</li> </ul>
<b>Hiring outcomes so far:</b>	<p>Of the total trade hours reported for Fiscal 2020/2021:</p> <ul style="list-style-type: none"> <li>● 58% were completed by local workers (i.e., those who live within 100 km of the worksite)</li> <li>● 12% were completed by women</li> <li>● 15% were completed by Indigenous peoples (BCIB, 2021).</li> </ul>
<b>Enforcement of the CBA:</b>	<ul style="list-style-type: none"> <li>● Goals and benchmarks are established by BCIB</li> <li>● BCIB is in charge of monitoring and reporting the agreement's success</li> <li>● Statistics reported on BCIB website (BCIB, 2021)</li> </ul>

The CBA framework was BC Premier John Horgan's response to a looming skilled labor shortage in the province, which expects a further shortage of 8,000 skilled construction workers by 2026 (Community Benefits Coalition of BC, 2019). Though the BC New Democratic Party government played a fundamental role in enacting the framework, a group of BC companies and labor unions advised the government throughout the development of the CBA. This group of stakeholders make up the Community Benefits Coalition of BC, which was spearheaded in April 2018 by the BC Building Trades council, an umbrella organization representing 25 local construction unions (BC Building Trades, 2020). Since then, the Community Benefits Coalition of BC has grown to include over 40 companies, local governments, and members of the labor unions who share the goal of using taxpayer funded infrastructure projects to benefit local communities (BC Building Trades, 2020).

There are currently three projects announced under the CBA, including the Pattullo Bridge Replacement Project, the Highway 1 Four-laning project, and the Broadway Subway Project. The Highway 1: Illecillewaet Project began construction in September 2019. The employees working on this project received skills and safety training, as well as Indigenous Cultural Competency Training, in order to minimize conflicts and improve working conditions for Indigenous workers. Construction for the Highway 1 project began in 2019, while the Pattullo Bridge Replacement Project (expected to open in 2024) and the Broadway Subway Project (expected to open in 2025) are under construction at the time of this writing (Province of British Columbia and Transportation Investment Corporation, 2021a; 2021b).

After the BC government passed the CBA framework, they established BC Infrastructure Benefits (BCIB), the Crown Corporation responsible for hiring construction workers, managing payroll and benefits, and working with unions and contractors to dispatch labor for projects under the CBA (Province of British Columbia 2020). During this time, the Allied Infrastructure and Related Construction Council (AIRCC) was also created, which is a council representing BC's 19 major building trades unions (Woodin 2020). Though the BCIB is responsible for formally recruiting and hiring all workers for CBA projects, the hiring process is collaborative, and workers can come from any of three pools: BCIB lists, AIRCC members, or those who work for the contractor. Contractors can request specific requirements for workers and name hire all supervisors and some employees, while BCIB dispatches the rest of the workforce (BCIB, 2022). BC's CBA framework was signed between the BCIB and the AIRCC in July of 2018 (BC Infrastructure Benefits Inc. and Allied Infrastructure and Related Construction Council of British Columbia, 2018). Anyone is able to bid on public infrastructure projects, regardless of if they are a member of the AIRCC unions. However, workers are required to join one of these 19 unions for the duration of the project (Woodin, 2020). BCIB has been working to create a network of employment opportunities by connecting applicants to employment service partnerships and by engaging with Indigenous communities in close proximity to the infrastructure projects. To date, they have met with all of the Identified Indigenous Groups (IIG) along the two Highway 1 project sites (Illecillewaet Highway 1 and Kicking Horse Canyon Phase 4) and have reached out to all IIGs who are connected to the Pattullo Bridge Replacement Project. For context, 198 First Nations and 39 chartered

Métis communities are located in what is now BC. Though all of these communities may have the opportunity to participate in CBA projects in the future, about 133 of these First Nations and 28 Métis communities are located toward the south of the province, where most of these projects are concentrated (BC Assembly of First Nations, 2022; Métis Nation British Columbia, 2022).

While 70% of BC residents are in favor of the CBA (Community Benefits Coalition of BC, 2019), the framework also has many critics. Public debates about the CBA raise concerns about the possibility of it increasing costs for public infrastructure projects, as well as the framework's requirement for workers to join one of the AIRCC unions for the duration of the project (Kennedy, 2019). In August 2018, a coalition of contractors and building associations submitted a petition to the BC Supreme Court, asking them to strike down the government's CBA framework arguing that it is in violation of their right to freedom of association (Smith, 2018). This case was taken to the BC Supreme Court in February 2020, where the court rejected the challenge (Woodin, 2020).

### **Successes of the Agreement**

The BCIB Service Plan states that a projected 28% of project hours worked were completed by "Indigenous peoples and equity groups" that consist of "women, Indigenous peoples, persons with disabilities, visible minorities and LGBTQ2S+" (exceeding their target of 16% for 2021); 15% of these hours were worked by Indigenous workers (BC Infrastructure Benefits, 2020; Electrical Contractors Association of BC, 2021). While it would appear that a sizeable number of hours were worked by Indigenous and underrepresented groups, the significance of this number is also difficult to evaluate due to a lack of a publicly available baseline number from before the Agreement. This lack of transparent recordkeeping on the success and enforcement of benefits has been a challenge for IBAs as well (Nugent, 2017).

While none of the participants felt that the potential of the CBA had been fully realized yet in its early stages, many participants across groups were hopeful that the policy represented a step in the right direction. Overall, union representatives tended to be more optimistic of the opportunities created for Indigenous people through the CBA, while consultants and Indigenous group representatives were either doubtful that the policy would be successful, or cautiously optimistic. One representative of an AIRCC union stated that they felt that the CBA was ground-breaking, noting that in the last 16 years, there had not been any language that mandated hiring of underrepresented groups in this way (Union Representative #1, personal communication, July 7, 2020). Another representative of an AIRCC union was very optimistic about their ability to not only place Indigenous workers in apprenticeships and jobs, but ultimately to help them build a career; this point was contentious with representatives from Indigenous groups who were doubtful of the long-term employment opportunities from the CBA. All participants agreed with the intention of the CBA, and most union representatives were highly optimistic about the agreement. However, several consultants and Indigenous group representatives were concerned about the enforcement, with one environmental consultant stating that, "as long as the follow-up is there, and you know, the Ministry of Transportation, the BC government, ensures that

whatever CBA is signed and agreed upon is actually implemented, you know, well and properly, I think that it will have a positive impact on the communities” (Development consultant for Indigenous group #2, personal communication, September 23, 2020). In all, there was a mixed bag of opinions about the CBA’s potential, with positive outlooks weighted towards union affiliated participants.

Beyond tangible positive impacts from the CBA, some felt that the policy’s value was in its ability to change discourse and attitudes about the involvement of Indigenous groups in the construction trades. The above environmental consultant described the CBA as, “a framework to continue pushing the dialogue and pushing things forward” (Development consultant for Indigenous group #2, personal communication, September 23, 2020). Similarly, one AIRCC union representative was hopeful that from the CBA, “A trust will be established the same way it has slowly been changing for women joining the trade. More and more Indigenous youth will choose to work where they are respected, and earn good money with good fringe benefits” (Union Representative #1, personal communication, July 7, 2020). Another union representative for service workers related to CBA construction described the possibility that the CBA might change the values of the infrastructure construction process. They explained, “I think that finally the conversation is moving away from ‘we just need to build’ . . . and I really truly believe that the conversation in BC has switched to not just ‘what’s the lowest bid?’ but ‘what’s the best bid?’, and ‘what are those jobs going to create for my community?’” (Union Representative #4, personal communication, August 7, 2020). In these perspectives, participants observed an important change in professional and cultural values that have accompanied the public discourse on the CBA.

### **Potential Barriers to Economic Justice for BC’s CBA**

#### **Engagement of Indigenous Groups**

Neither in the interview data nor in the policy is there any evidence or claims of engagement with Indigenous communities during the passage of the Agreement; the agreement itself is between the BCIB and the AIRCC and does not include Indigenous groups directly as main stakeholders. It is important to note here the well documented contentious history of racism and exclusion from unions experienced by Indigenous people and other groups (Fernandez & Silver, 2017; Hunt & Rayside, 2000; Mills & Clarke, 2009). Several participants across different groups felt that Indigenous communities were left out of the discussions that put the CBA in place and were only included after the fact. A representative for an Indigenous workforce development program explained,

“First Nation communities who own most of the land in Vancouver were never even approached to have input . . . that’s not how you negotiate CBAs, you know? Because to wrap them up, you have to have the players involved and not to come to them after the fact . . . it’s already too late for the communities to have input.” (Workforce Development Professional #1, personal communication, October 26, 2020)

This participant, among others, argued that this consultation process led to an agreement which is not feasible and not reflective of Indigenous needs and interests. When one Indigenous community representative was asked whether the CBA addressed the needs and desires of their community, they responded, “No. Only changes in law and a healthy respect for our ways, values and vision [would address this]” (Indigenous Community Representative #3, personal communication, September 16, 2020). Though this participant was unique in the sense that they saw no value in the CBA, most participants (other than AIRCC union representatives) agreed that there were many Indigenous needs and desires that went unaddressed in the agreement, likely due to a lack of engagement with Indigenous communities.

In terms of negotiating specific project agreements for infrastructure covered by the CBA, some Indigenous group representatives expressed frustration that the BC government tends to only communicate with the Chief and Council, and that information does not always filter down to community members or other branches of an Indigenous community. An added issue is an ignorance of what it means to “engage” Indigenous groups, which should be viewed in their entirety, rather than as entities that can be spoken on behalf of by a small handful of leaders. One participant who leads employment training for an Indigenous group expressed that this stems from a lack of understanding about the values of Indigenous communities, saying that “It’s interesting that often the government believes that who they need to talk to to have these communications is Chief and Council . . . By our standard, that’s not talking to the people. That’s talking to the colonized structure that’s set in place in order to work with provincial government” (Indigenous Community Representative #2, personal communication, September 23, 2020). Though only a few participants echoed this specific point about the colonial disconnect when it comes to how to engage with Indigenous communities, most Indigenous participants felt that the CBA could be improved by using a more holistic and culturally appropriate communication approach with Indigenous communities to ensure that all community members and departments have the chance to influence decision-making.

Since there was a lack of consultation in the passage of the Agreement, the assumption that all Indigenous groups can benefit from construction employment opportunities was not appropriate for communities that are, for example, aging, or own a high number of their own firms (which are often too small to bid on large infrastructure projects). Additionally, for groups in urban areas, some stated that the lack of employment opportunities and need for construction jobs was overstated. One contractor who had partnerships with several First Nations explained “the Nations we’ve been chatting with . . . all they were looking for really was just a revenue-sharing agreement. And a gentleman I was speaking to said ‘Quite frankly, our Nation’s located in a major urban centre. Those who want to work are working.’ So, while the employment opportunities are nice, they’re not necessarily relevant here” (Contractor Representative #2, personal communication, October 9, 2020). This perspective points to an added consequence of offering jobs to Indigenous communities located in dense urban areas without proper consultation: the offer of construction work is perhaps not in as much demand in this context, where jobs in other sectors are more readily available.

Most Indigenous participants emphasized that these types of misguided benefits were the result of a lack of meaningful engagement with the Indigenous communities, as illustrated by one Indigenous community representative who said, “They often aren’t willing to put dollars toward what we need, as opposed to what they think we need. There’s still a very patronizing feel to these things . . . we don’t feel like participating if you don’t feel like really listening [to our needs]” (Indigenous community representative #2, personal communication, September 23, 2020). Some felt that there was a significant amount of engagement through the negotiation process for projects, but that it was done in a way that held the possibility of jobs over the heads of Indigenous groups in exchange for their approval of a project. This engagement was also generally not viewed by Indigenous representatives or consultants as something that would actually allow Indigenous people to have a say in the projects, but merely to get their blessing. One consultant from a firm who performs impact assessments for CBA projects said, “there’s a feeling, I think with, not just with infrastructure projects, but with a lot of projects that if you don’t negotiate a benefits agreement, the project’s going to go ahead anyway, but then you’re going to get nothing” (Development consultant for Indigenous group #1, personal communication, August 12, 2020). In other words, while engagement takes place in many instances, Indigenous participants did not feel that it was done in a way that allowed Indigenous people to be equal stakeholders or have a sense of agency in the process; they felt they had little impact on how the project was going to be carried out, so they may as well reap any benefits they could, even if they were not terribly helpful to the community. This was particularly the case when it comes to urban Indigenous communities who voiced that their members already have access to jobs in various sectors due to proximity to dense urban areas.

### **Barriers to Hiring Unaddressed by the CBA**

A side effect of the disjointed community engagement through both the passage of the CBA and the negotiations for specific projects has been a lack of understanding of the barriers faced by Indigenous communities when it comes to participating in the construction trades, particularly in urban areas. Several of the barriers we found echo the findings in the literature, such as education attainment, historic exclusion from construction trades, and access to hiring processes (Cahill 2018; Caron et al., 2019). However, from this study, several new barriers emerged regarding transportation and housing in urban areas.

While the agreement states that workers will be provided with a travel allowance if they are using their own vehicle (excluding the heavily urbanized areas of the Lower Mainland and the Fraser Valley), we found that there are still several barriers to taking advantage of this benefit. One of the most frequently mentioned of these barriers among all participant groups was the difficulty of procuring a driver’s license to get to an urban job site. A consultant illustrated how simply getting a driver’s license has presented challenges for workers on multiple levels:

if you grew up in a city, it was pretty easy to go get your driver’s license . . . You turn sixteen, you take your parents down to the registry, you write your test, maybe you pass, maybe you fail, you write it again, you pass, you have your learner’s permit. You can do it in an afternoon in under a



couple hours. If you're living in (a rural Indigenous community), and you've got to drive into town, well, you need a car. You might not have a car—a reliable car. You need your parent's consent—you might not have your guardian accessible or willing. You know? You need to have someone help you study for the test—who do I ask? You might not have that support network from your family or your teachers. You finally get in there and you need 30 bucks to pay for the test, the first time. You know, now you've gotta find 30 dollars . . . And this was just one very simple example . . . So if getting a driver's license has all these barriers, you can imagine the barriers to becoming an electrician. (Development consultant for Indigenous group #2, personal communication, September 23, 2020)

In fact, obtaining a driver's license was among the most commonly mentioned barriers in the data, which is relevant beyond transportation to a work site, since many firms require a driver's license as a condition of employment to begin with (Development consultant for Indigenous group #2, personal communication, September 23, 2020). This issue is compounded by the fact that public transportation serving Indigenous communities outside of urban areas was often described as lacking. Because of the combined difficulty of obtaining a car and a driver's license, and the lack of adequate public transit disproportionately impacting Indigenous communities, a representative working in Indigenous workforce development described, “a really difficult cycle where people get fines that they can't pay, so they lose their license, but we live in a rural area so they drive anyway, so they get caught, and they get fined, and [then] they can't get their license” (Indigenous Community Representative #2, personal communication, September 23, 2020). Challenges are also presented when it comes to finding adequate housing at a work site for what can be months away from one's community, in what are often high-cost urban areas. A consultant explained, “there's nowhere for them to live while they do the work. And it's not like they have the money to . . . find an apartment to live in Vancouver. So, I think that consideration of accommodations for those communities who are still further away from the project, but still have strong interests and rights in the project area, is really important” (Development consultant for Indigenous group #1, personal communication, August 12, 2020). This point of discussion was relatively unique among our data, but this may be due to less common experiences with urban infrastructure projects among participants. The Agreement states that room and board, or “Living Out Allowances” may be given to workers living more than 100 kilometers from the work site. However, this excludes communities living within the Lower Mainland and the Fraser Valley, and though they are relatively closer to urban worksites in distance, these areas still have much variation in housing costs (Province of British Columbia, 2019). Within 70 kilometers, compensation for transportation and room and board is limited to winter months.

The challenge of spending months away from home for members of tight knit Indigenous communities was mentioned by most participants across all participant groups as a negative aspect of joining the construction trades. Compounding this issue, several participants noted that jobs in the construction trades were unlikely to give time off or funding for travel back to one's community for important events (such as the death of a community member) or to take on other culturally specific responsibilities. A

related and commonly discussed theme that often emerged in the data was the exclusion that Indigenous people often feel in urban settings (such as Vancouver) from cultural, financial, and geographic standpoints. Because these urban areas are often located far away from Indigenous workers' communities, and because they are significantly more expensive to reside in, many Indigenous workers prefer to work closer to home, where they have access to cultural resources and can live more affordably. As of 2021, the average cost of a one-bedroom apartment in Vancouver was \$1,434, with rental units in smaller cities and rural areas being drastically more affordable (CMHC, 2022). In summary, working on urban infrastructure covered by the CBA is often too costly, too far, and too alienating to be feasible for many Indigenous workers.

### **A Desire to Develop Indigenous Enterprises**

The interview data revealed concerns about the effectiveness of the CBA as a potential avenue for economic justice for Indigenous Peoples in some of the assumptions it makes about their capacity to develop their own firms and economic opportunities related to infrastructure projects (as opposed to relying on non-Indigenous firms and unions, which the Agreement aims to do). The Agreement assumes a position of economic dependency for Indigenous Peoples on non-Indigenous businesses for jobs that were not consistent with what was often the reality of Indigenous firm ownership and entrepreneurialism, or the desire among Indigenous Peoples to own the means of production themselves. A concern that was repeated throughout interviews with Indigenous representatives was that CBA jobs, because they are dependent on the hiring practices of firms outside of their communities, often do not lead to careers, but only one-off job opportunities. Most participants across all groups explained that the project-by-project nature of the construction trades, as well as the requirement for long-distance travel were barriers for some Indigenous workers who found it challenging to leave their communities for extended periods of time. Additionally, several participants recalled times where members of their communities were only hired for construction positions for large infrastructure projects, then did not continue employment in the construction trades. The CEO of a construction company explained that “you do a six-month job and you’ll finish, and there’s no work after that . . . it’s just like having a job for six months and then you get laid off, and I understand if a lot of people don’t have an appetite for that” (Development consultant for Indigenous group #1, personal communication, August 20, 2020). While the project-by-project basis of this work is part of being in the construction trades, challenges of urban infrastructure often being located far from Indigenous communities presents barriers for Indigenous people who want to continue on to the next project. In other words, simply including Indigenous workers by hiring them on a project-by-project basis does not necessarily help them to develop careers in the construction trades or reach upward economic mobility.

Several participants felt that this precarity of employment and the historic exclusion of Indigenous workers from construction unions could be mitigated through the Indigenous ownership of both construction firms and supportive businesses such as advertising, security, and landscaping. These perspectives often included concerns about the precarity and unsustainability of operating as joint

ventures with non-Indigenous firms to access economic opportunities. One Indigenous representative explained that, instead, “we started focusing on, in our community, on developing our own businesses. So rather than joint venturing with, say, a security company, or a janitorial company, we built our own businesses. And I still believe that that’s the way to build capacity – we have to support Indigenous communities in operating their own businesses” (Indigenous Community Representative #1, personal communication, August 12, 2020). However, one CEO of an Indigenous-owned construction company, which notably belongs to a union outside of the AIRCC, argued that the agreement actively excludes Indigenous-owned businesses like his, due to the agreement’s mandatory AIRCC union affiliation. He explained,

[The CBA] just narrows the playing field . . . Unfortunately our union is not listed among those with the ability to bid . . . nobody has come to us and explained that a First Nation contractor is excluded from that narrow list of bidders and union affiliates. (Development consultant for Indigenous group #1, personal communication, August 20, 2020)

This perspective illustrates how other Indigenous businesses may potentially find the requirement to join an AIRCC union to be a barrier due to the poor relationships trades unions have had with Indigenous communities historically.

Often accompanying wishes to own construction firms and supporting businesses was a desire to create new economic opportunities for future generations. A consultant explained, “They deserve better than that. I’m not going to go to a 17-year-old and say ‘Hey, have you thought about the world of possibilities and considered construction?’ So, I think at [Indigenous community] specifically, when we do have those youth who show a lot of potential, we’re also trying to target them to work for [Indigenous community group]” (Development consultant for Indigenous group #1, personal communication, August 12, 2020). The consultant felt that given the precarity and difficulty of gaining and keeping employment in the construction trades (while it may be desirable for some Indigenous youth), it might compete with a local community’s desire to nurture the talents of young people for use towards economic development in their own community. This perspective, along with the desires voiced by several other Indigenous participants to own and operate multiple aspects of the construction industry and supportive businesses, illustrates an assumption made in the CBA that the main way Indigenous communities should be supported is through jobs that potentially *reinforce* economic dependence on non-Indigenous businesses. As such, the Agreement does not allow for economic self-determination, and potentially runs counter to economic development aspirations that Indigenous groups may have within their communities.

An added concern mentioned by some Indigenous community representatives and consultants is that Indigenous and non-Indigenous businesses do not always necessarily have the same value systems. This can create challenges for long-term, sustainable business relationships that are also respectful of the economic development agendas in Indigenous communities. The head of a consulting firm explained cultural differences in the measures of economic success, saying that:

at the federal and provincial level, economy is only conceptualized in terms of GDP, or job numbers, or all of these things. And there's a total ignorance about the fact that there's types of economies outside of the very stereotypical capitalist indicators of economy . . . a lot of representatives say "oh well, this project is good for all Canadians, because it will contribute to GDP!" But that has a very integral assumption that a high GDP is equitably distributed among all Canadians, which it is not. (Development consultant for Indigenous group #1, personal communication, August 12, 2020)

As this participant has indicated, competing notions about economic prosperity may result in differing views of what benefits or an inclusive negotiation process may look like for different groups. The Agreement assumes that everyone has the same interest in employment in non-Indigenous firms that benefit from provincial spending on urban infrastructure, and that all firms are positioned on equal footing to be hired and retained for such jobs if given the opportunity.

### **Indigenous Marginalization within Construction Trades**

Concerns about or acknowledgement of unequal treatment of Indigenous workers in the construction trades was consistent across all participant groups. Many participants were concerned that because of the challenges of attending trade school, and the historic lack of membership of Indigenous workers in unions across many sectors (Fernandez & Silver, 2017; Pitawanakwat, 2006), that their roles in CBA projects would likely be relegated to lower wage, unskilled labor. A workforce development coordinator for an Indigenous community said, "Some of the employment benefits that come along with these projects are pretty minimal. So, they're kind of entry-level. They're either offered as a traffic-control person or maybe they're just to use a shovel and dig post holes . . . They're not quality jobs, sorry" (Indigenous Community Representative #4, personal communication, September 16, 2020). This was a commonly mentioned concern amongst participants. Another First Nation staff member built on this point when she expressed frustration at the lack of diversity in jobs offered through these projects, as well as a lack of upward mobility. She stated, "It's frustrating that there isn't a more holistic approach. Because there's other positions, even in construction, right? So, where is the promotion for the safety officers, where is the promotion for the engineers, where is the promotion for higher learning? . . . I find that personally very frustrating" (Indigenous community Representative #2, personal communication, September 23, 2020). Union representatives and development professionals shared similar concerns about Indigenous workers becoming marginalized within construction work.

Several participants noted that apprenticeship and other work opportunities are often based on which social and professional networks a worker is a part of. The concern of lack of apprenticeship opportunities is also supported by the BCIB's Service Plan that states that only 8% of positions are apprenticeships, which is far below their 2021 target of 15%, which is still drastically lower than the estimated 25% of jobs that should be apprenticeships in order to reconcile the projected shortfall that was the catalyst for the Agreement (BC Infrastructure Benefits, 2020). Most participants outside of the union participant group also noted that there is a short timeline for hiring Indigenous workers, which

means that they are often relegated to positions that require hard, unskilled labor. A consultant explained that the positions are:

being finalized way too late for the training to be provided in a timely fashion for people to actually be ready for these jobs. Because as soon as approval happens—in business, time is money. They want to start construction as soon as humanly possible. And so you're looking at, like, "we agreed to these jobs two weeks ago and you're starting construction now" . . . there's no time to train people. (Development consultant for Indigenous group #1, personal communication, August 12, 2020)

Because of this short timeline for hiring, most Indigenous workers are not given adequate time to enter training programs and obtain necessary work hours to develop their skills. In the Recruitment phase of CBA projects, they are therefore often relegated to low paying and temporary work.

Indigenous group representatives as well as development professionals voiced the opinion that the structure of the CBA likely narrowed opportunities for Indigenous people. This is in part because the Agreement is between the BCIB and the AIRCC, which includes unions that have historically excluded female and Indigenous workers, and workers of color (hence the passage of the CBA). Though BCIB controls hiring for all CBA projects, the agreement requires all workers on CBA projects to join one of the AIRCC unions. Some participants argued that the longstanding rift between AIRCC unions and Indigenous firms along with the agreement's provision of mandatory AIRCC union membership reduces employment opportunities for Indigenous workers who do not wish to join one of the AIRCC unions or who may already be aligned with a union that is not included in the AIRCC. Many participants across groups raised concerns about the enforcement and evaluation of the success of the CBA when it comes to equitable distribution of jobs by skill and pay. A union representative also questioned the lack of explicit enforcement and evaluation of the quality of jobs for Indigenous workers under the CBA, asking:

Are they only in pre-apprenticeship or low-level apprenticeship? Are they making up those hours? . . . Or are they making up a larger portion of the higher paying positions? Because I think there's still some inequity between the earnings, in a sense if the Indigenous members—which I think I'm seeing, but I can't guarantee— are all at the low end of the pay bracket, in the lower-skilled or beginning apprenticeships. (Union Representative #4, personal communication, August 7, 2020).

Though other participants did not speak to this type of monitoring for the CBA specifically, many Indigenous participants emphasized that this lack of monitoring for the equitable distribution of jobs has been prevalent in past, similar projects. These perspectives bring to light a potential new challenge when it comes to the enforcement of the CBA, which is a lack of quality control for types of jobs offered to underrepresented groups.

## Discussion

Despite the above barriers, does British Columbia's Community Benefits Agreement, that has thus far focused mainly on urban infrastructure, show promise for promoting economic justice for Indigenous workers? And is the policy an innovation, showing more promise than previously enacted strategies, like IBAs, or project-based CBAs? Our research indicates that while the CBA may have potential to increase the project hours of underrepresented workers and might play a role in promoting important new public discourses around economic justice, there are significant barriers to being able to align the CBA with the economic justice goals associated with such agreements listed earlier. Many of the barriers to hiring Indigenous workers in the construction trades for CBA projects echo the barriers mentioned in the literature, such as education and historic exclusion from construction trades (Cahill, 2018; Caron et al., 2019). However, new barriers emerged that were related to the urban setting of the projects, including housing and transportation, and that urban Indigenous communities are already in closer proximity to a density of jobs (which is also where the key infrastructure projects covered by the Agreement thus far have been located). These were barriers that likely could have been noted through adequate engagement with Indigenous communities during the passage of the Agreement; this is perhaps also a by-product of the fact that neither of the two parties actively involved in the Agreement (the BCIB and AIRCC) are Indigenous groups.

The lack of consultation with Indigenous groups means that the Agreement operates on the assumption that union jobs in the construction trades are not only attainable for Indigenous workers, but that they are desirable; this lack of Indigenous self-determination in economic development is a significant threat to economic justice as described by the TRC and UNDRIP, as well as the economic justice goal of determining one's own line of work. Several participants noted that, due to various characteristics of their communities, jobs in construction are not viewed as opportunities for economic development or personal upward mobility in the way that the CBA describes. They also questioned the sustainability of such jobs (another cornerstone of economic justice mentioned by UNDRIP, and our stated goals of economic justice). Some pointed to other economic arrangements or non-construction jobs that they were hoping Indigenous people could become a part of instead. The involvement of mostly unions as main stakeholders (who have a main goal of increasing membership) means that unsurprisingly the lack of community benefits from infrastructure projects is mainly addressed through hiring processes.

It is important to note that though construction jobs may not be desirable for all Indigenous people, these jobs can have the potential to offer significant economic benefits for many. However, there are several support systems that will need to be put in place to realize such benefits, as Holcombe and Kemp (2020) have noted in other cases of Indigenous workforce development. These could include longer term training programs, access to transportation, and allowances for leave from work based on cultural considerations. Without these supports, as this data has revealed, there is a risk of continuing to place Indigenous workers in hard, unskilled labor positions, that tend to be one-off, short term job opportunities, instead of placing them in more skilled, lucrative positions that lead to a career. This

shortcoming is a barrier to achieving the right to fair compensation and equitable access to secure and sustainable work, and the right to resist exploitation on the basis of socioeconomic status. While strategies like providing training programs, transportation, and allowances may boost numbers of Indigenous workers in long-term careers in the construction trades, they are not satisfactory when it comes to a true reorientation of this agreement towards economic justice, as power would still reside in the hands of the BCIB and AIRCC, not Indigenous communities.

The nature of engagement with Indigenous communities in both the passage of the Agreement and negotiating project specific elements brings new concerns to Gross's (2008) observations about co-optation of the term "CBA." Participants stated that the CBA may have been used as a political tool by politicians and unions, rather than a tool for economic justice. A non-AIRCC union representative and critic of the CBA explained the use of the term "Community Benefits Agreement" with the view that perhaps it was named as such to garner public support:

I mean, this isn't new for [the New Democratic Party]. They were elected in the 1990's in British Columbia and they used exclusive project labor agreements back then. So, a CBA is really just a project labor agreement. They've changed the terminology, they've changed and tweaked a few things to make it more palatable to the general public, and to those in construction, and those that they're trying to sell this deal [to]. So, you know, brilliant on their part—to use the term "Community Benefit Agreement," but it's really just a project labor agreement. (Union Representative #6, personal communication, November 6, 2020)

Gross (2008) and Nugent (2017) have voiced concerns about CBAs that misrepresent the role or agency of the communities they are meant to benefit. Relatedly, the formulation of a provincial Agreement between BCIB and 19 unions that have historically excluded Indigenous people and women, suggests, as some participants have noted, the agreement may actually narrow job opportunities for Indigenous workers, rather than expand them. This dynamic is certainly a threat to economic justice for Indigenous workers due to its exclusion of Indigenous workers from determining their own work opportunities and is a new insight into the impacts of co-optation of CBAs. Participants noted the difficulty presented by this agreement in training and hiring Indigenous workers, and the limitations now placed on Indigenous firms who may not be part of AIRCC unions due to historic exclusion or by choice. The case of BC's CBA adds to concerns raised by Holcombe and Kemp (2020) and Brererton and Parmenter (2008) that certain industries may reinforce economic dependency. In this case, this potential for dependency is forged through an Agreement between the Province and labor organizations. These ideas are also consistent with Nugent (2017) and McCreary and Turner's (2018) observations that government brokered CBAs and IBAs often represent ways of reproducing and strengthening neoliberal governance, rather than promoting true alternatives to socioeconomic inequality. At the moment, it seems that, at best, the CBA represents a case where unions with the best of intentions are attempting to diversify their workforce and have missed critical aspects of community engagement; at worst, this agreement leverages the politically popular promise of promoting inclusive policy to allow

AIRCC unions to monopolize state-led infrastructure construction in the face of their weakened stance in the neoliberal era. In all, the CBA does not seem to be an attempt to reorient the power dynamics that have excluded Indigenous workers from the economic benefits of urban development (or other industries, like resource extraction). The same entities, including the provincial government, construction firms, and key unions continue to control who has “the right to build the city” (Nugent, 2017, p. 81), and perhaps even more so than before the agreement.

These findings raise concerns about goals of the CBA being too obtuse, and not deeply engaged with actual barriers of employment and power imbalances described by Indigenous groups and their advocates. This and other issues made many participants concerned that the CBA is bound to repeat the shortcomings of provincial project labor agreements in the past. However, the CBA is still in its early years of implementation, and it remains to be seen whether large scale efforts to include underrepresented groups will present economic opportunity. Being able to evaluate the effectiveness of the CBA, and whether the BCIB will be able to uphold enforcement accordingly, is a key challenge in this project, and other CBAs, as stated in the literature (Gross, 2008; Gross et al., 2002; Marantz, 2015; Salkin & Lavine, 2008).

The goals of the accountable development movement do not often directly address decolonization as a main objective due to their focus on distributive justice. Further, as our data has reflected, there are some who feel that British Columbia's CBA should not be considered a CBA at all, because of its prescriptive focus on providing jobs with no Indigenous communities as signatories in the initial policy. We agree with this assessment, however, with that limitation and the above barriers in mind, several actions could be taken in the interest of creating more equitable opportunities for Indigenous workers and firms. These suggestions may allow for participation and financial benefits from infrastructure development that may bring the Agreement closer to something that could be considered a CBA. First, the Agreement could be amended to allow for Indigenous groups to serve as direct signatories, and benefits could be added that are appropriate and useful for different communities. This could allow for a broader set of tailored benefits to be applied to infrastructure projects. Engagement to determine such diverse benefits should be collaborative and informed by Indigenous knowledge systems. Contributing to economic justice via construction jobs is a very narrow focus and does not necessarily benefit all communities involved. This approach does not allow for Indigenous communities to build wealth of their own. Instead or in addition, profit sharing, co-management arrangements, and other forms of more sustainable economic benefits are also worth exploring. In addition, the agreement should be altered to offer jobs associated with construction that are not limited to the construction of infrastructure itself (e.g.: engineers, administrative jobs, project management jobs); training should also be provided for a diverse array of jobs that create opportunities for individuals to pursue their own unique talents and passions and build from existing skill sets. For construction work, the timeline for training should be greatly extended to avoid last-minute hiring that relegates Indigenous workers to unskilled jobs. Further, this investigation has revealed limitations in the justice frameworks commonly used when it comes to campaigns for community benefits. Future research and organizing efforts should be made to consider



how colonial structures that are embedded in development practices threaten the inclusion of Indigenous knowledge systems within accountable development movements (and whether such movements can become compatible with decolonization).

### Conclusion

This paper assessed the viability of British Columbia's provincial Community Benefits Agreement from the perspective of making advances towards economic justice for Indigenous workers. Literature on CBAs and Indigenous workforce development focuses on resource extraction industries, and less is known about the potential for CBAs (which are not typically associated with Indigenous workforce development) to be leveraged to create jobs through urban infrastructure work in the interest of economic justice. We found that there are many threats to economic mobility posed by a lack of engagement with Indigenous communities until after projects are already in development. This research adds to the literature by uncovering barriers specific to including Indigenous workers in urban infrastructure including transportation and housing challenges, lack of cultural awareness in the industry, and the burden of time away from one's community involved in this type of work. In general, the urban location of infrastructure projects covered by the Agreement so far has not been considered when it comes to the uneven distribution of jobs and development resources across the province or relative to Indigenous groups. Our data also points to a lack of engagement through the passage of the Agreement. Likely because of this lack of consultation, the Agreement does not reflect understanding of the desire of some Indigenous communities to pursue economic development on their own terms and to take advantage of opportunities in other sectors over construction. Ultimately, the question of whether a provincial CBA represents a means to economic justice by applying community benefits across a wide geography is complicated by the co-optation of the process by political interests. As Indigenous groups are not formal stakeholders, the opportunities for employment and whether engagement is done to recognize and address barriers to hiring for urban infrastructure projects does not in and of itself promote economic justice for Indigenous groups.

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