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A Case Study of the New Flyer of America Inc. Community Benefits Agreement

Lessons Learned in the Bus Manufacturing Industry

June 2025

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CBARC & ACKNOWLEDGEMENTS



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About CBARC

Jobs to Move America (JMA) is a strategic research and policy center dedicated to building an equitable and sustainable society with workers and communities by harnessing the power of public spending. JMA is uniquely positioned to advocate for and advance equitable family-sustaining job creation by expanding access to training for historically underrepresented groups and long-term and sustainable benefits for workers and their communities. JMA takes a comprehensive approach to its work, and has trailblazed the successful use of community benefits agreements to create high-quality, inclusive jobs in the manufacturing sector. Community benefit agreements (CBAs) are a tool JMA uses to ensure concrete benefits for workers and impacted communities.

The Jay Mehta Community Benefits Agreement Resource Center (CBARC) is a program of JMA that seeks to meet the critical moment of investment in clean and green technology manufacturing by promoting the advancement of effective and equitable CBAs.

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Contact CBARC at cbarc@jobstomoveamerica.org for questions about the case study and CBAs more generally.




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*In Memory of Jaykumar (Jay) Dilipkumar Mehta
Devoted and passionate advocate of
workers' rights.*

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1 EXECUTIVE SUMMARY

In recent years, there has been significant public investment to recover the U.S. manufacturing industry and create and maintain existing jobs in the industry. Community benefits agreements are increasingly being utilized to guarantee that corporations receiving public incentives and subsidies provide benefits to communities and workers. This case study highlights the significance of enacting community benefits agreements to address community and employer needs and promote equitable economic development in historically disadvantaged communities.

Community benefits agreements (CBA) are defined as contracts with legally enforceable and accountable commitments, signed between community-labor coalitions and project owners. Over the last couple of decades, CBAs were primarily used for real estate development projects, but they have recently started to be utilized as a popular tool in the manufacturing space as well.

The New Flyer of America Inc. (New Flyer) CBA was selected for this case study because it has key elements of a model CBA and has been successful in a state with an economic development model unfavorable to organized labor, where state government often prioritizes employer interests over community and environmental concerns. This CBA demonstrates the importance of developing corporate-community partnerships to maximize the return on investment for communities, employers and workers, as well as the need for public policies that prioritize public funding for the most public good.

New Flyer Community Benefits Agreement

In 2013, New Flyer, a public transit bus manufacturing company, signed a roughly \$500 million contract with the Los Angeles Metropolitan Transportation Authority (LA Metro) to manufacture 900 low-floor compressing methane gas transit buses and open a manufacturing and service center in Los Angeles County. This contract included a U.S. Employment Plan (USEP), a customizable policy tool that encourages or incentivizes bidders on public contracts to make contractual commitments to job creation, job quality, and training.

As part of the contract, New Flyer agreed to create good jobs, support training programs – including health and safety, provide on-the-job training, and report outcomes of the project. Additionally, in 2017, New Flyer received tax incentives totaling \$1.4 million from state, county, and local governments for an expansion project at their facility in Anniston, Alabama.

Anniston, Alabama is a racially and ethnically diverse city with half of the population identifying as Black. It has a poverty rate that is significantly higher than the national average and families of color disproportionately live in higher rates of poverty compared to white families in the area. To increase upward economic and social mobility of historically disadvantaged families in Alabama

and California, a labor-community coalition advocated for a CBA campaign for the expansion project in Anniston and the new manufacturing plant in Ontario, California.

The Alabama Coalition for Community Benefits, a coalition of over twenty-five labor, faith-based, civil rights, social service, and environmental justice organizations, engaged in a multi-year campaign to encourage New Flyer to sign a community benefits agreement that guaranteed worker and community benefits in the company's U.S. facilities. The New Flyer CBA, approved in June 2022, was unique in that it was signed in the South and was one of the first multi-state CBAs. It includes provisions for wraparound services to remove barriers to accessing training and employment opportunities, pre-apprenticeship and apprenticeship programs, a variety of measures to improve job quality, and reporting, monitoring, and enforcement requirements to hold all parties accountable.

In distinct but related efforts, the United Steelworkers (USW) and IUE-CWA, the industrial division of the Communication Workers of America, along with New Flyer and its subsidiaries, negotiated three card-check and neutrality agreements in 2022. The labor peace agreements covered four New Flyer facilities and four supplier facilities, and over the next two years, workers at five of the eight plants unionized.

The New Flyer CBA supported efforts to create a more inclusive and equitable workplace with safer working conditions, and current union representation continues to build on this work and promote a positive work-life balance. The economic equity measures, including the pre-apprenticeship with wraparound supports and apprenticeship programs, increased employment opportunities for historically disadvantaged populations, while simultaneously securing a skilled and trained workforce for New Flyer.

New Flyer's commitment to higher equity standards, via the use of a community benefits agreement, proves that the Southern economic development model can include benefits to the community and workers in addition to employers.

Recommendations

Labor-community coalitions and corporate-community partnerships interested in enacting CBAs are recommended to adopt a process that is: 1) *democratic* and *inclusive* of community and worker participation, 2) *representative* of stakeholders from diverse backgrounds, and 3) *transparent* to achieving successful CBA outcomes and, most importantly, a positive impact for communities.

Recommendations for Building a Coalition for a CBA Campaign

- Research community, worker, and employer needs, including conducting surveys of workers and surrounding communities.
- Educate the community, corporations, and other stakeholders on the benefits of community benefits agreements.

- Build a diverse and inclusive coalition.
- Create a democratic organizational structure with strong participation from community members and workers.

Recommendations for All Stakeholders involved with Negotiations and Implementation Process

- Build a mutually respectful relationship between stakeholders involved with negotiations and implementation to foster a democratic and participatory process.
- Determine non-negotiables with areas of substantial disagreement worked out in advance of negotiations, and guarantee negotiated requirements benefit all.
- Ensure that CBA provisions are attainable.
- Include transparency, monitoring, evaluation, and enforcement mechanisms in CBAs.

SECTION 2 INTRODUCTION

Economic growth is often seen as a sign of a healthy economy. Despite the U.S. economy improving since the Great Recession and the COVID pandemic, the majority of workers continue to hold negative views of the economy.^{1, 2}

The U.S. government has spurred this economic upsurge by offering corporations economic development incentives and subsidies to invest locally, but there have been limited benefits for historically disadvantaged communities.^{3, 4} Working-class families continue to suffer, with economic inequality on the rise, persistent racial and gender pay gaps, workplace inequalities, and a lack of access to high-quality, family-supporting jobs. Since the 1960s, the wealth of the top 10% of households in the U.S. has continued to increase gradually compared to the wealth of the middle and lower classes, with the wealth gap expanding exponentially over the last few decades.^{5, 6} With the rise in inequality, it is crucial that the interests and needs of middle- and working-class families are prioritized in economic development policies and practices.

Community benefits agreements (CBAs) have become an increasingly popular tool for extending economic development benefits to the community. Since the 1990s, almost four hundred CBAs have

¹ *In Tied Presidential Race, Harris and Trump Have Contrasting Strengths, Weaknesses* (Pew Research Center, September 2024).

² David Montgomery, "What Americans Think About the U.S. Economy," *YouGov*, September 25, 2024.

³ Andrew Schwartz, "The Realities of Economic Development Subsidies," *Center for American Progress (CAP)*, November 1, 2018.

⁴ Matthew D. Mitchell et al., "The Economics of a Targeted Economic Development Subsidy," *Mercatus Center George Mason University*, November 21, 2019.

⁵ In 2022, the bottom 10% of families have \$450 in wealth, middle class families have roughly \$200,000 in wealth, the top 10% of families have nearly \$2 million in wealth, and the top 1% have over \$13 million in wealth.

⁶ Urban Institute, "Nine Charts about Wealth Inequality in America," April 25, 2025.

been signed between labor-community coalitions and project owners. CBAs have primarily been utilized for real estate projects, such as entertainment venues and mixed-use redevelopment, but they are gradually being used in a variety of industries, including manufacturing. The government continues to make significant investments in manufacturing to boost economic growth, but it is crucial that public funding for new construction and the expansion of manufacturing plants includes commitments to the public, especially impacted workers and communities. CBAs are an effective tool to guarantee the creation of and equal access to good-paying jobs along with other community benefits.

Community benefits agreements (CBA) are defined as contracts with legally enforceable and accountable commitments, signed between community-labor coalitions and project owners.

The Alabama Coalition for Community Benefits, a labor-community coalition, advocated for a CBA with New Flyer of America Inc., a public transit bus manufacturing company, to ensure that public funds were used for public benefit. New Flyer signed a contract with Los Angeles Metropolitan Transit Agency to supply hundreds of buses and received public

subsidies for expanding its facilities in Anniston, Alabama. The New Flyer CBA is unique in that it is the first CBA signed in the South for existing manufacturing facilities and one of the first multi-state CBAs.

This case study examines the creation and implementation of the New Flyer CBA, as well as its outcome for workers and the community. This in-depth analysis of the process and outcomes will provide lessons learned, offer recommendations, and highlight the advantages of CBAs for community members, workers, government, unions, and corporations. Sharing lessons learned with future corporate-community partnerships interested in enacting CBAs will be valuable for delivering a positive return on investment for all.

SECTION **3** METHODS

To analyze the impact of the New Flyer CBA, the primary researcher conducted semi-structured interviews, document analysis, and fieldwork.

The researcher used convenience and snowball sampling to conduct virtual and phone interviews with twenty-seven stakeholders, ranging between thirty minutes and roughly three hours. She interviewed participants who were readily available (i.e., convenience) and reached out to other participants with the support of prior interviewees (i.e., snowball). The semi-structured interviews consisted of stakeholders involved in creating and implementing the New Flyer CBA. The interview guide included questions related to the stakeholder’s role and experience negotiating and implementing the CBA, their overall thoughts on the process and outcome of the CBA, and strengths and areas for improvement.

Please see the table below for the organizational representation of interviewees.

Table 1 | **Interviewees – Organization Characteristics**

Type of Organization	# of interviews
National advocacy organization – economic	13
Local/state advocacy organization – civil rights, economic, environmental (some also provide supportive services)	4
Labor and labor advocacy organization	4
New Flyer workers	6
Total	27

The researcher used document analysis to gain a deeper understanding of the New Flyer CBA’s timeline, elements, and happenings. This included collecting and analyzing the New Flyer CBA, newspaper articles, reports, and other internal resources.

Additionally, the researcher toured the New Flyer facility in Anniston, Alabama, and experienced firsthand the complex process of building a bus from start to finish. She met workers and listened to employee testimonials, which led to a greater understanding of the impact working at New Flyer had on their lives.

The variety of data collection methods worked congruently to examine the successes achieved by the CBA, offer lessons learned, and provide recommendations for future organizations interested in CBAs.

SECTION 4 BACKGROUND

Restoring the American Manufacturing Industry

Since the height of U.S. manufacturing employment in the 1970s, the industry has made slow but steady progress to recover. According to data from the U.S. Bureau of Labor Statistics, the total number of workers in manufacturing topped 19,553,000 in 1979 and recorded the lowest total in 2010 with 11,525,000 workers.^{7, 8}

Deindustrialization and automation in the U.S. caused a significant loss of manufacturing jobs, and the consequences were dire for communities reliant on an industrial economy.⁹ Since most manufacturing jobs in the U.S. were offshored and outsourced to locations predominantly in the Global South, many manufacturing workers were left unemployed, forced to retrain, and dependent on service work that is often characterized as non-union and low wage.^{10, 11} Manufacturing was previously a highly unionized industry, which meant most workers experienced higher wages, access to health care and benefits, and representation for fair treatment and improved working conditions, including workplace health and safety.

In recent years, the federal government enacted policies to bring manufacturing back to the United States. Some of these policies aimed to increase economic mobility for workers by backing the creation and training of high-road jobs. The American Rescue Plan, the Infrastructure Investment and Jobs Act (IIJA), the Inflation Reduction Act (IRA), and the CHIPS and Science Act were all enacted during the Biden administration, and allocated funding to support workforce development and create jobs in manufacturing and infrastructure.

As of December 2024, nearly thirteen million workers are employed in the manufacturing industry, which means total employment numbers are above pre-pandemic levels and similar to the number of manufacturing workers in 1945.¹² This recent federal investment may continue to facilitate unprecedented job growth in manufacturing, but employers are currently unable to meet the demand for labor due to a significant skills gap. According to a report by Deloitte and the Manufacturing Institute, a projected 3.8 million manufacturing jobs will be created between 2024-2033, and if the skills gap is unmet 1.9 million jobs will remain open.¹³ Thus, it is important that public investment continues to incentivize employers and project owners to prioritize outreach and training programs in priority communities to address the labor shortage.¹⁴

⁷ The decline in manufacturing jobs was accelerated due to the Great Recession beginning at the end of 2007.

⁸ "All Employees, Manufacturing (MANEMP)," Federal Reserve Economic Data (FRED), last updated December 6, 2024.

⁹ Deindustrialization is described as the closure of manufacturing plants in urban areas and the reopening of the facilities overseas or in suburban areas where operating costs are cheaper. Several factors exacerbated deindustrialization, including automation and other emerging technologies, globalization, and corporate restructuring.

¹⁰ American companies left overseas for cheaper operating costs, and weaker environmental protections and regulations in other countries.

¹¹ "Understanding Deindustrialization," Easy Sociology, last updated on November 15, 2024.

¹² FRED, "All Employees, Manufacturing (MANEMP)."

¹³ *Taking Charge: Manufacturers Support Growth with Active Workforce Strategies* (Deloitte and the Manufacturing Institute 2024).

¹⁴ Timothy Bartik, "Helping Manufacturing-Intensive Communities: What Works?," Center on Budget and Policy Priorities, May 9, 2018.

Despite steady job gains in manufacturing, union membership in the sector has failed to recover. In 2023, the union membership rate was 7.9% or 1,181,000 workers in manufacturing, which is still roughly half the union membership rate of 2000.^{15, 16, 17} One reason for the decline in union density is the use of fissuring business practices by manufacturing companies, like hiring temporary workers from staffing agencies instead of full-time employees.¹⁸ Companies hire temporary workers to decrease operating costs, reduce worker pay and benefits, and avoid legal responsibilities.

Rebuilding union membership in the manufacturing sector is critical because unionization promotes equitable hiring and promotion standards, protects workers from unfair treatment, advances worker rights and protections, and lessens the racial, ethnic, and gender gap.^{19,20}

The Economic Policy Institute found that “as of 2020, roughly 10.6 million of the 15.9 million workers covered by a union contract are women and/or people of color.”²¹ Union membership leads to a more equitable pay scale, which ultimately ensures that women employees are paid equivalent to men, and workers of color are paid comparable salaries to white workers.^{22, 23} Women make up 29.5% of manufacturing jobs, and people of color account for 27.6% of jobs in the industry.²⁴ Women and Black workers are underrepresented in the manufacturing industry and the clean energy sector, and both women and people of color are overrepresented in low-paying jobs in each sector.^{25, 26} Latino and migrant workers are disproportionately employed in garment and food manufacturing, which are two of the lowest paid manufacturing sectors.^{27, 28} Additionally, four in ten clean energy jobs are filled by people of color, which is one of the fastest growing sectors and offers workers above-average wages.²⁹

To further diversify and build equity in the clean and green technology manufacturing sector, unions, companies, workforce development organizations, and educational institutions must collaborate to promote equitable access to education and training programs, such as on-the-job training and pre-apprenticeship and apprenticeship programs. Community benefits agreements can foster these strategic partnerships, which are essential to the workforce development system and to employing economic equity measures.

¹⁵ The manufacturing industry is one of the top unionized industries in the U.S., and 14.9% of the industry was unionized in 2000.
¹⁶ “Union Membership Rate 8.6 Percent in Manufacturing, 23.4 Percent in Utilities, in 2019,” U.S. Bureau of Labor Statistics, last updated February 2020.
¹⁷ U.S. Bureau of Labor Statistics, “Union Members 2023,” news release, January 23, 2024.
¹⁸ Benjamin Y. Fong, “The Art of the Green New Deal,” *Jacobin*, May 19, 2024.
¹⁹ *Unions Help Reduce Disparities and Strengthen Our Democracy* (Economic Policy Institute, April 2021).
²⁰ Josh Bivens et al., *Unions Promote Racial Equity* (Economic Policy Institute, July 2023).
²¹ *Who are Today’s Union Workers?* (Economic Policy Institute April 2021).
²² Bivens et al., *Unions Promote Racial Equity*.
²³ Economic Policy Institute, *Unions Help Reduce Disparities and Strengthen Our Democracy*.
²⁴ “Labor Force Statistics from the Current Population Survey,” U.S. Bureau of Labor Statistics, last modified January 26, 2024.
²⁵ U.S. Bureau of Labor Statistics, “Labor Force Statistics from the Current Population Survey.”
²⁶ *Help Wanted: Diversity in Clean Energy* (E2 et al. 2021).
²⁷ Mahlia Shoaib, “Sustainability: More Minorities are Filling Supply Chain Roles. How can Brands Protect Them?” *Vogue Business*, February 20, 2023.
²⁸ K. Steven Brown, *Racial Inequality in the Labor Market and Employment Opportunities* (Work Rise September 2020).
²⁹ E2 et al., *Help Wanted: Diversity in Clean Energy*.

Community Benefits Agreements

Community benefits agreements (CBAs) are an effective tool community-labor coalitions can use to directly negotiate provisions that include economic, environmental, social, racial, and gender justice principles with project owners. CBA benefits typically consist of local hiring goals for **good jobs**, resources and support to further economic empowerment for historically disadvantaged individuals in employment and entrepreneurship, and environmental sustainability measures such as affordable housing and green space.

The Good Jobs Champion Group working definition of a good job is based on the following three indicators³⁰:

***Economic stability:** Good jobs provide workers with confidence that they can meet their basic needs – for healthy food, a safe place to live, healthcare, and other essentials – for themselves and their families now and in the future.*

***Economic mobility:** Good jobs provide clear pathways into them and an equitable chance at hiring. They provide mobility over a career through opportunities to learn, to advance to new positions, to be recognized for accomplishments, to save, and to build wealth.*

***Equity, respect, and voice:** Good jobs respect the contributions that people bring to an organization, without regard to their gender, race, ethnicity, level of educational attainment, or other demographic characteristics. They engage workers in understanding their work and how it advances the goals of the organization. Workers in good jobs have the power to ensure that concerns about working conditions or ideas for improving workplaces will be fairly considered and acted upon.*

The process of negotiating and implementing the agreement is intended to be transparent, democratic, inclusive, and representative of all stakeholders including community members and workers. CBAs maximize project benefits to the community, workers, and their families as well as for companies. They help create measurable recruitment, training, and pathways for a highly skilled and diverse workforce representative of the community. The agreements benefit employers by reducing the likelihood of turnover and promoting retention of a skilled workforce. Project owners and community-labor coalitions build trust and collaboration between one another through entering into CBAs and, in particular, by including monitoring and enforcement mechanisms to hold all parties accountable.

This case study examines the importance of establishing community benefits agreements to promote equitable economic development that benefits all stakeholders in historically disadvantaged communities like Anniston, Alabama. The Anniston community has been negatively impacted by deindustrialization, legacy pollution, Jim Crow laws, and racial segregation. The CBA with New Flyer is a vital start to help mitigate the social, political, and economic losses the community has experienced.

³⁰ Good Jobs Champions Group, "Statement on Good Jobs," Aspen Institute, accessed February 6, 2025.

The “Southern Discount”

Manufacturers are attracted to doing business in Southeastern states due to low-road economic development strategies, right-to-work status, and declining job quality standards.^{31, 32} The Economic Policy Institute describes the “Southern economic development model” as consisting of low labor costs, reduced employer and income taxes, union opposition, weaker business regulations, and limited worker protections.³³

Southern states entice global and national corporations with policies such as extensive tax incentives and public subsidies that prioritize employers’ interests over community needs. These states compete with one another by offering manufacturers and other companies the most incentives to invest in their area. The government claims these economic growth strategies will lead to job creation and lift communities out of poverty, but residents’ upward economic mobility remains unchanged.^{34, 35}

The South has the lowest prime-age employment-to-population ratio (EPOP),³⁶ and the lowest per capita gross domestic product (GDP) compared to other regions.³⁷ The lack of job gains, limited economic growth, and the persistent high poverty rates in the region illustrate the failure of the Southern economic development model.^{38, 39}

In 2022, eight out of ten states with the highest poverty rates were from the South.⁴⁰ In 2023, 12.5% of people in the United States lived below the poverty line or roughly 41 million people, while the poverty rate in Alabama was 15.6%, or close to 775,000 Alabamians.^{41, 42} The South has become a hub for manufacturing, specifically automotive and transportation manufacturers, due to the Southern economic development model that focuses on increasing employers’ profitability. Manufacturing is the third largest industry in Anniston-Oxford-Jacksonville, and accounts for 6,900 of the 44,700 jobs in the area, as of August 2024.^{43, 44}

In the past, manufacturing jobs were considered “good jobs” because the industry was highly unionized.⁴⁵ However, since deindustrialization and the decline of unionization in the U.S., current manufacturing jobs have seen a reduction in job quality and earnings.⁴⁶ The low wages in the South are partially due to most Southern states failing to establish a state minimum wage or setting a state

³¹ Emily Erickson, *Are Good Jobs Possible in the Deep South? Report on Anniston, Alabama: A Southern Manufacturing Community* (Alabama A&M University March 2021).

³² Dev Wakeley et al., *A Wheel in the Ditch: A Closer Look at Alabama’s Big Bet on the Auto Manufacturing Industry* (Alabama Rise December 2023).

³³ Chandra Childers, *Rooted in Racism and Economic Exploitation: The Failed Southern Economic Development Model* (Economic Policy Institute October 2023).

³⁴ Wakeley et al., *A Wheel in the Ditch: A Closer Look at Alabama’s Big Bet on the Auto Manufacturing Industry*.

³⁵ Childers, *Rooted in Racism and Economic Exploitation: The Failed Southern Economic Development Model*.

³⁶ Prime-age EPOP are individuals who are employed and are between the ages of 25-54. In the South, the more accurate measurement to determine job growth is the EPOP compared to the unemployment rate. The South has lower than expected unemployment rates, which is misleading due to how unemployment is federally defined. The U.S. does not include the number of individuals who left the labor market because they were discouraged and unable to find work or a good job.

³⁷ Chandra Childers, *Breaking Down the South’s Economic Underperformance: Rooted in Racism and Economic Exploitation: Part Two* (Economic Policy Institute June 2024).

³⁸ Childers, *Rooted in Racism and Economic Exploitation: The Failed Southern Economic Development Model*.

³⁹ Childers, *Breaking Down the South’s Economic Underperformance: Rooted in Racism and Economic Exploitation: Part Two*.

⁴⁰ Andrew DePietro, “2023 Poverty Rate by State, Per the Latest Census Data,” *Forbes*, November 9, 2023.

⁴¹ Craig Benson, *Poverty in States and Metropolitan Areas: 2023* (U.S. Census Bureau September 2024).

⁴² In 2023, the annual household income considered to be below the poverty line is \$15,480 for a single person and approximately \$31,000 for a family of four. The poverty threshold is determined based on three times the minimum diet of food. The official measurement of poverty has not been changed since 1963 and does not account for the rising cost of living, regional differences, and other expenses.

⁴³ Government is the largest employer with 13,000 jobs, followed by the trade, transportation, and utilities sector with 9,400 jobs as of April 2024.

⁴⁴ “Southeast Information Office: Anniston,” U.S. Bureau of Labor Statistics, accessed December 15, 2024.

⁴⁵ Madeline Janis, “Why the Assumption that Manufacturing Jobs are ‘Good’ is Dead Wrong,” *Forbes*, August 10, 2023.

⁴⁶ Janis, “Why the Assumption that Manufacturing Jobs are ‘Good’ is Dead Wrong.”

minimum wage above the federal minimum wage.^{47, 48} On average, Southern workers have been paid less compared to workers doing the same job in other regions; and in 2021, 22% of workers were paid \$15 or less.⁴⁹

Worker earnings are one factor in considering job quality, along with other factors, including worker benefits (e.g., pensions, health insurance, paid, sick/family/medical leave), workplace health and safety, job training, career advancement, and access to union representation.⁵⁰ Southern workers are less likely than workers from other regions to have access to employer-provided benefits and other high quality job standards, largely due to the Southern economic development model and lower union density in the South.⁵¹ The Northeast, West, and Midwest regions in the U.S. have over double the union membership rate of the South, which was 6% in 2021.⁵²

Private-sector Southern workers have lower rates of employer-provided health insurance and pensions, and the majority of Southern states do not have paid sick leave and family and medical leave programs compared to other regions in the U.S.⁵³ Nevertheless, Southern workers are not deterred from the industry because manufacturing jobs typically offer higher compensation and benefits compared to other job opportunities in the area.⁵⁴

Companies use the “Southern Discount” or “Alabama Discount” model to their advantage, particularly in communities suffering from high poverty rates and lower prime-age labor force participation rates, like Anniston. Manufacturers are more likely to pay workers less and neglect to ensure a healthy and safe workplace in the South compared to workers doing the same job in the Northeast, West, and Midwest regions of the U.S. and in many European countries.

Between 2003-2013, auto manufacturing wages – adjusted for inflation – nation-wide declined by 14%, which is most likely connected to the increasing number of auto manufacturing jobs in the South, the practice of using staffing agencies, and the South’s opposition to labor unions.^{55, 56} Another reason for the reduction in job quality in the manufacturing sector is due to the decline in union membership and political-economic decisions that erode the power of labor unions, such as the Taft-Hartley Act, which enacted states’ ability to adopt right-to-work laws.⁵⁷

Almost half of the states in the U.S. are right-to-work, meaning workers are not obligated to join or pay dues to a union yet still receive benefits of the union. Right-to-work states comprise all the Southern region and several states in the Midwest.⁵⁸ Many Southerners hold strong anti-union sentiments due to the spread of common misperceptions about unions, such as the belief that unions are responsible for the closure of plants. This anti-union rhetoric has contributed to Southern states passing preemption laws, which prevent local governments from enacting policies that are

⁴⁷ The current federal minimum wage is \$7.25, which was last changed in 2009.

⁴⁸ Chandra Childers, *Southern Policymakers Leave Workers with Lower Wages and a Fraying Safety Net: Rooted in Racism and Economic Exploitation: Part Three* (Economic Policy Institute July 2024).

⁴⁹ Childers, *Southern Policymakers Leave Workers with Lower Wages and a Fraying Safety Net: Rooted in Racism and Economic Exploitation: Part Three*.

⁵⁰ Childers, *Southern Policymakers Leave Workers with Lower Wages and a Fraying Safety Net: Rooted in Racism and Economic Exploitation: Part Three*.

⁵¹ Childers, *Southern Policymakers Leave Workers with Lower Wages and a Fraying Safety Net: Rooted in Racism and Economic Exploitation: Part Three*.

⁵² Childers, *Southern Policymakers Leave Workers with Lower Wages and a Fraying Safety Net: Rooted in Racism and Economic Exploitation: Part Three*.

⁵³ Childers, *Southern Policymakers Leave Workers with Lower Wages and a Fraying Safety Net: Rooted in Racism and Economic Exploitation: Part Three*.

⁵⁴ *Good Jobs Everywhere: Why Manufacturing Jobs Should Advance Equity and Strengthen Communities: The Case of New Flyer of America* (Jobs to Move America (JMA) October 2019).

⁵⁵ *Manufacturing Low Pay: Declining Wages in the Jobs That Built America’s Middle Class - National Employment Law Project* (NELP November 2014).

⁵⁶ Findings from this report also found that between the same time period, 14% of auto manufacturing workers were hired through a staffing agency, and these temp workers made 29% less than employees hired directly from the manufacturers.

⁵⁷ Caroline Fairchild, “*Middle-Class Decline Mirrors the Fall of Unions in One Chart*,” HuffPost, December 6, 2017.

⁵⁸ “*Right to Work States*,” National Right to Work Legal Defense Foundation, accessed December 15, 2024.

pro-worker, pro-union, or promote diversity, equity, inclusion, and accessibility (DEIA) initiatives in the workplace.^{59, 60}

The Southern economic development model perpetuates institutional racism and racial disparities by relying on cheap labor, as the Southern economy historically did through enslaved and indentured labor.⁶¹ This practice continues through reliance on immigrants and migrants from the Global South for low-wage work, the mass incarceration of predominantly Latino and Black men who are forced into prison labor under the Thirteenth Amendment, and de jure segregationist policies that lead to disparities in education, employment, housing, health, and other social inequities.^{62, 63}

Across the U.S. and particularly in the South, it is common for employers to use institutional and blatant racism as a divisive tool to impede worker solidarity.^{64, 65} Alabama Arise found significant wage gaps based on race and gender in the auto manufacturing industry in Alabama. In 2019, autoworkers of color were paid less than white workers, with Black and Latino workers overrepresented in lower-paid positions, such as assemblers, laborers, and inspectors.⁶⁶ Female autoworkers were paid less than male autoworkers and underrepresented in higher-paid occupations such as welding and supervisory positions.⁶⁷ Political and economic anti-union campaigns have continued to undermine efforts for worker organizing in the South to fight for economic, racial, and gender equity.

Anniston, Alabama – Environmental and Racial Injustices

The City of Anniston was originally founded as a private town by Woodstock Iron Company in the late 1870s and became public in the early 1880s.⁶⁸ Historically, the local area has been dependent on industry, but has experienced a steady decline in manufacturing. Anniston adopted the Southern economic development strategy to spur economic regrowth, but it failed to benefit residents equally. The City of Anniston suffers from a poverty rate of 22.1%, which is 1.4 times the state rate in Alabama, as of 2022.⁶⁹ In the same year, the city's child poverty rate was 33%, which was double the U.S. child poverty rate of 16.3%.^{70, 71} Anniston is racially and ethnically diverse, with over half of the population identifying as people of color. In 2022, the racial and ethnic composition of Anniston was 50% Black, 43% white, 4% Latino, 2% multi-racial, and 1% "Other".⁷²

The poverty and child poverty rate is significantly higher than the national average, as described above, and residents of color in Anniston in particular are disproportionately living in poverty. In 2022, 12.2% of white residents (or 1,011) lived below the poverty level, and 33.5% of Black residents (3,500), 30.6% of multiracial residents, 20.2% of residents identified as "Other," and 10.8% of Latino residents lived in poverty.⁷³ The median household income in 2022 was \$60,829 for white families, \$32,763 for Black families, \$31,260 for Latino families, \$19,682 for "some other race" families, and

⁵⁹ Chandra Childers, *The Evolution of the Southern Economic Development Strategy Rooted in Racism and Economic Exploitation: Part One* (Economic Policy Institute May 2024).

⁶⁰ Childers, *Southern Policymakers Leave Workers with Lower Wages and a Fraying Safety Net: Rooted in Racism and Economic Exploitation: Part Three*.

⁶¹ Childers, *The Evolution of the Southern Economic Development Strategy Rooted in Racism and Economic Exploitation: Part One*.

⁶² Childers, *The Evolution of the Southern Economic Development Strategy: Rooted in Racism and Economic Exploitation: Part One* (Economic Policy Institute).

⁶³ Mark Lopez, "Segregated by Design," March 2022.

⁶⁴ Ken Green, "Why Organized Labor Struggles in the American South," *UnionTrack* (blog), January 28, 2020.

⁶⁵ Childers, *Rooted in Racism and Economic Exploitation: The failed Southern economic development model*.

⁶⁶ Wakeley et al., *A Wheel in the Ditch: A Closer Look at Alabama's Big Bet on the Auto Manufacturing Industry*.

⁶⁷ Wakeley et al., *A Wheel in the Ditch: A Closer Look at Alabama's Big Bet on the Auto Manufacturing Industry*.

⁶⁸ "Location: Anniston AL," Alabama Business Hall of Fame, last accessed December 15, 2024.

⁶⁹ "Anniston, AL," Census Reporter, last accessed December 15, 2024.

⁷⁰ Census Reporter, Anniston, AL - Profile data - Census Reporter

⁷¹ Craig Benson, "U.S. Poverty Rate Varies by Age Groups," U.S. Census Bureau, December 4, 2023

⁷² "Anniston, Alabama (AL) Poverty Rate Data," City-Data.com, accessed December 15, 2024.

⁷³ City-Data.com, "Anniston, Alabama (AL) Poverty Rate Data."

\$15,114 for multi-racial families.⁷⁴ White residents are more likely to be homeowners and attain a bachelor's degree or higher; while residents of color are more likely to rent and lack a high school diploma or equivalent.^{75, 76}

Due to the state's lax environmental regulations, Anniston's community and workers have suffered negative health outcomes from industrial pollution and workplace hazards caused by Fort McClellan, Monsanto, Woodstock Iron Works, and other industries. Anniston is a racially segregated city, and the community surrounding the Army Depot and Monsanto plant is predominately African American. As a result, Black residents are disproportionately impacted by the environmental pollutants.

Woodstock Iron Works employees experienced lung cancer, mesothelioma, and other illnesses due to long term exposure to asbestos.⁷⁷ Veterans from World War I to the Gulf War were exposed to radioactive compounds and chemical warfare agents at the Anniston Army Depot, which is part of Fort McClellan, and polychlorinated biphenyl chemicals from the Monsanto plant that was adjacent to the base.⁷⁸ Veterans most impacted were students in the U.S. Army Chemical Corp School, Army Combat Development Command Chemical/Biological/Radiological Agency, Army Military Police School, and Women's Army Corps programs beginning in the early 1950s.⁷⁹ While the Anniston Army Depot was designated a Superfund site by the Environmental Protection Agency (EPA) in 1991 and subsequently shut down the same year, the Veterans Administration (VA) has failed to officially recognize veterans' adverse health impacts as a direct result of their exposure to hazardous materials at Fort McClellan.^{80, 81}

Due to the VA's claim of low-level toxic exposure, veterans are required to submit disability claims to the VA in order to receive compensation for health conditions related to the toxic exposure, which is difficult to prove.^{82, 83} Veterans at Fort McClellan were also exposed to airborne polychlorinated biphenyls (PCBs) from a subsidiary of Monsanto Chemical, referred to as Solutia, from 1929–1971.⁸⁴

For over four decades, the Anniston community and army veterans at the Anniston Army Depot were exposed to PCBs from Monsanto.^{85, 86} In an *Anniston Community Health Survey* from 2008, high levels of PCB were reported in nearby yards, inside homes, ditches, humans, and local animals (e.g., livestock, fish) near the plant.⁸⁷ The same study found that individuals with high PCB levels were more likely to experience negative health outcomes, such as some cancers, diabetes, hypertension, and diabetes.⁸⁸ In 2003, Monsanto agreed to a \$700 million settlement to compensate over 20,000 Anniston residents who suffered negative health outcomes from PCBs and to clean up the 70 acres designated as a Superfund Alternative Approach site.^{89, 90} Furthermore, Black individuals who were 40 years old or older had PCB levels three times higher than their white counterparts.⁹¹

⁷⁴ "Races in Anniston, AL) Detailed Stats)," City-Data.com, accessed December 15, 2024.

⁷⁵ City-Data.com, "Races in Anniston, AL) Detailed Stats)."

⁷⁶ "The Demographic Statistical Atlas of the United States – Statistical Atlas" Statistical Atlas, last updated on September 10, 2018.

⁷⁷ "Asbestos Settlements at Woodstock Iron Works in Anniston, AL," ASBX.org, last updated December 2024.

⁷⁸ "Public Health: Potential Exposure at Fort McClellan," U.S. Department of American Affairs, accessed December 15, 2024.

⁷⁹ U.S. Department of American Affairs, "Public Health: Potential Exposure at Fort McClellan."

⁸⁰ *Superfund Record of Decision: USA Anniston Army Depot, AL* (U.S. Environmental Protection Agency September 1991).

⁸¹ "VA Benefits for Toxic Exposure from Fort McClellan," VA Disability Group, accessed December 15, 2024.

⁸² VA Disability Group, "VA Benefits for Toxic Exposure from Fort McClellan."

⁸³ *Issue Brief: Toxic Exposures at Fort McClellan* (Disabled American Veterans 2024).

⁸⁴ U.S. Department of American Affairs, "Public Health: Potential Exposure at Fort McClellan."

⁸⁵ In 2003, Monsanto agreed to a \$700 million settlement to over 20,000 Anniston residents who suffered negative health outcomes from PCBs.

⁸⁶ Joe Moody, "Bad Chemistry," *An APR News Series - - Anniston and Monsanto: Twenty Years Later*, Alabama Public Radio, August 24, 2023.

⁸⁷ "PCBS in Anniston," Agency for Toxic Substances and Disease Registry (ATSDR), last reviewed July 22, 2015.

⁸⁸ ATSDR, "PCBS in Anniston."

⁸⁹ The Associated Press, "\$700 Million Settlement in Alabama PCB Lawsuit," *The New York Times*, August 21, 2003.

⁹⁰ Brett Israel and Environmental Health News, "Pollution, Poverty and People of Color: Dirty Soil and Diabetes," *Scientific American*, June 13, 2012.

⁹¹ ATSDR, "PCBS in Anniston."

Near this location was the site of an attack on nonviolent Civil Rights activists, which played a significant role in the history of the Civil Rights Movement. In 1961, the Congress of Racial Equity (CORE) organized multiple Freedom Rides to protest the South's Jim Crow laws, and to investigate whether Southern transit agencies were abiding by the 1960 *Boynton v. Virginia* Supreme Court decision, which rendered segregation in public transit unconstitutional.⁹² On one such trip, the Freedom Riders, a group of Black and white activists, were attacked multiple times by the Ku Klux Klan as they made their way from Washington, D.C. to New Orleans.⁹³ The riders were violently attacked in Anniston, where counter-protestors slashed the tires and broke the windows of a public bus at a station in downtown Anniston. The bus continued its route, but after a few miles, the hate group set it on fire and attempted to barricade the riders inside. Activists were severely injured, but authorities eventually intervened, and no one was killed in the attack.

This act of violence garnered national media attention and led individuals across the nation to join the Civil Rights Movement.⁹⁴ This local history of racial violence and civil rights activism is important to understand the current socioeconomic conditions of people of color in Anniston.

Attack on Freedom Riders Close to Downtown Anniston



⁹² "Place: Alabama: Freedom Riders National Monument." National Park Service, last updated January 5, 2021.

⁹³ National Park Service, "Place: Alabama: Freedom Riders National Monument."

⁹⁴ National Park Service, "Place: Alabama: Freedom Riders National Monument."

Downtown Anniston Former Bus Station – Freedom Riders National Monument

JMA's Community Engagement Coordinator Larry Hodge sharing the history of one group of Freedom Riders, who were attacked in Anniston during the Civil Rights Movement, at the Freedom Riders National Monument in October 2024.



The social, economic, and political history of Anniston highlights the inequities residents of color experience in terms of access to affordable housing, educational attainment, employment opportunities, and negative health outcomes. To achieve economic equity, the Southern economic development model must prioritize workforce development and greater access to high-paying good jobs for people of color and other historically disadvantaged groups.

“Companies “do not have to follow the pattern of the Alabama discount, we know you can have higher standards. Rather than go with the crowd, be a leader in industry – in Alabama – not just along for the free ride.”

– Scott Douglas, Executive Director of Greater Birmingham Ministries and a Coalition member

New Flyer’s commitment to higher equity standards, via the use of a community benefits agreement, proves that the Southern economic development model can include benefits to the community and workers in addition to employers.

New Flyer

The NFI Group Inc. (NFI) is a global bus and coach manufacturing company publicly traded on the Toronto Stock Exchange. Currently, NFI is a parent company to the following seven subsidiary companies: Alexander Dennis, ARBOC Specialty Vehicles, Carfair Composites, Motor Coach Industries (MCI), New Flyer, NFI Parts, and Plaxton.⁹⁵ NFI is a leading innovator in zero-emission vehicle transportation, and over 4,000 zero-emission buses have been delivered to customers across the globe since 2015.⁹⁶

New Flyer, formerly referred to as Western Auto and Truck Body Works, was founded in Winnipeg, Canada, in 1930 and is the largest transit bus manufacturing company in North America.⁹⁷ New Flyer is recognized for creating the first electric trolley low-floor bus in North America, fuel cell transit bus, diesel-hybrid bus, transit bus with LED headlights, automated heavy-duty transit bus in North America, and zero-emission battery-electric bus.⁹⁸ New Flyer services over 35,000 transit buses, close to 25% of which are electric and battery-operated buses, in total 8,600 buses.⁹⁹ Many of the NFI Group's facilities, including parts distribution, manufacturing, fabrication, and service centers, are located in North America, with the exception of Alexander Dennis, which has locations globally.

NFI leads the market share of bus and coach manufacturing in Canada, the U.S., and the UK, with most of its customer base consisting of public transit agencies.^{100, 101} NFI expanded production to the U.S. in the late 2010s to comply with federal Buy America regulations and to enhance its competitive advantage in the public procurement process.¹⁰² In addition to NFI's two manufacturing plants in Minnesota and other service and parts distribution centers, New Flyer built manufacturing facilities in Ontario, California (2014) and Jamestown, New York (2017), as well as a fabrication facility in Shepherdsville, Kentucky (2018). NFI purchased North American Bus Industries (2013) and Carlson Composites (a/k/a Carfair Composites) (2017), acquiring each of their facilities in Anniston, Alabama and the Carfair facilities in St. Cloud, Minnesota and Wisconsin.¹⁰³ In 2017, New Flyer opened the Vehicle Innovation Center (VIC) in Anniston, North America's first research and development lab for bus and coach technology advancement and workforce development.¹⁰⁴ These recent investments were driven by state, county, and local tax incentives totaling close to \$1.4 million, to create more jobs in the U.S., which is where this case study begins.¹⁰⁵

⁹⁵ "Our Companies & Products," NFI Group, accessed December 15, 2024.

⁹⁶ "NFI Group Inc. Second Quarter 2024 Results," NFI Group, July 31, 2024.

⁹⁷ NFI Group, "Our Companies & Products."

⁹⁸ "About New Flyer," New Flyer, accessed December 15, 2024.

⁹⁹ New Flyer, "About New Flyer - New Flyer | North America's Bus Leader"

¹⁰⁰ Annual Information Form, NFI Group, Inc., March 14, 2024.

¹⁰¹ Dave Jamieson, How New York Could Make Better Jobs In Alabama | HuffPost Impact.

¹⁰² John Whittaker, NFI Group Eyes Further Business Growth | News, Sports, Jobs - Post Journal.

¹⁰³ JMA, *Good Jobs Everywhere: Why Manufacturing Jobs Should Advance Equity and Strengthen Communities: The Case of New Flyer of America.*

¹⁰⁴ NFI Group Inc., "New Flyer to Open Vehicle Innovation Center on October 12." *OEM Off-Highway*, October 11, 2017.

¹⁰⁵ Eddie Burkhalter, "Incentives OK'd for New Flyer Expansion in Anniston," *The Anniston Star*, March 8, 2017.

Table 2

TIMELINE

 2011	<p>The Los Angeles Metropolitan Transportation Authority (LA Metro) was the first transit agency to use the U.S. Employment Plan (USEP) in a public procurement contract.</p>
 2013	<p>LA Metro signed a \$500 million contract, that included a USEP, with New Flyer for 900 low-floor compressing methane gas transit buses.</p>
 2017	<p>New Flyer received \$1.354 million in local and state tax incentives to expand the Anniston facility.</p>
 2019	<p>The Alabama Coalition for Community Benefits formed to build a campaign advocating for New Flyer to sign a community benefits agreement covering workers and communities near facilities in Anniston, AL and Ontario, CA.</p>
 Spring 2022	<p>The Alabama Coalition for Community Benefits began negotiations for a community benefits agreement with New Flyer.</p>
 April 2022	<p>New Flyer, along with its subsidiaries, negotiated three card check and neutrality agreements covering four New Flyer facilities with the IUE-CWA, and four supplier facilities with United Steelworkers Union (USW).</p>
 May 2022	<p>After a few months of negotiations, New Flyer signed a CBA with partners of the Alabama Coalition for Community Benefits after settling a related lawsuit in Los Angeles related to New Flyer's compliance with the USEP in their contract.</p>
 August 2022	<p>New Flyer workers joined the IUE-CWA at the Jamestown facility.</p>
 February 2023	<p>New Flyer workers joined the IUE-CWA at the Shepherdsville facility.</p>
 February 2023	<p>Carfair Composites in Anniston became a union plant with workers joining the United Steelworkers Union.</p>
 Fall 2023	<p>The first cohort for the pre-apprenticeship began training in Anniston.</p>
 January 2024	<p>New Flyer workers unionized the facility in Anniston, joining IUE-CWA, through the card check process.</p>
 May 2024	<p>The IUE-CWA union contract in Anniston was ratified by 98–99% of the membership.</p>
 Fall 2024	<p>Carfair Composites workers in St. Cloud, MN joined the USW.</p>

Los Angeles Metro & U.S. Employment Plan

Jobs to Move America, the Brookings Institution, the University of Southern California's Program for Environmental and Regional Equity, and the University of Massachusetts at Amherst's Political Economy Research Institute created a proposal for a U.S. Employment Plan (USEP) to incentivize manufacturers to generate pathways to good jobs for individuals underrepresented in the manufacturing sector.¹⁰⁶ The proposal was presented to the U.S. Department of Transportation (USDOT) in 2012 with a request for the USDOT to approve its application for transportation agencies using federal funding to purchase equipment.

The USEP is a customizable policy tool that encourages or incentivizes bidders on public contracts to make contractual commitments to job creation, job quality, and training.¹⁰⁷ Consequently, companies that submit proposals with stronger job equity commitments increase the competitiveness of their bids. The Los Angeles Metropolitan Transportation Authority (LA Metro) was the first transportation agency to use the USEP in a public contract for railcars in 2011. LA Metro ultimately implemented the USEP into an agency-wide policy in 2018, which was then amended in December 2022.¹⁰⁸ In 2016, the Secretary of the USDOT encouraged local transit agencies to employ the USEP when using federal funds. From this point on, several local transit agencies have adopted USEP language into their procurement contracts, including Amtrak, the Chicago Transit Authority, the New York Metropolitan Transportation Authority, the Massachusetts Bay Transportation Authority, and the Metropolitan Atlanta Rapid Transit Authority.¹⁰⁹

In 2013, New Flyer signed a nearly \$500 million contract with LA Metro to manufacture 900 low-floor compressed natural gas (CNG) transit buses and open a manufacturing and service center in Los Angeles County.¹¹⁰ The contract included a U.S. Employment Plan, in which, among other things, New Flyer committed to specific wages and benefits for workers on the contract.¹¹¹

In November 2018, JMA, on behalf of the State of California and LA Metro, filed a California False Claims Act complaint against New Flyer, alleging that New Flyer did not comply with the wages and benefits it committed to under the USEP.¹¹² While legal proceedings were taking place, a labor-community coalition, Alabama Coalition for Community Benefits, concurrently engaged in a multi-year effort to encourage New Flyer to sign a community benefits agreement that would ensure the creation of good manufacturing jobs for all.

The Coalition worked with researchers at Alabama A&M University to conduct an academic survey of Anniston residents and workers and disseminated multiple reports describing working conditions and wages and benefits of manufacturing workers in Anniston and New Flyer workers across the U.S. Finally, in 2022, the parties agreed to a comprehensive settlement agreement in the California litigation, which included a multi-state community benefits agreement covering New Flyer's Anniston, Alabama, and Ontario, California, facilities, and a \$7 million fund to be split between JMA and LA Metro.^{113, 114} JMA then used the proceeds from the settlement to implement the CBA and establish a grant fund for New Flyer workers who manufactured buses for the 2013 contract.

¹⁰⁶Resources: U.S. Employment Plan," Jobs to Move America (JMA), April 10, 2020.

¹⁰⁷JMA, "Resources: U.S. Employment Plan."

¹⁰⁸JMA, "Resources: U.S. Employment Plan."

¹⁰⁹JMA, "Resources: U.S. Employment Plan."

¹¹⁰Noam Scheiber, "Fraud Case Against Bus Maker Shows Risks of Pay Promises in City Contracts," *The New York Times*, August 8, 2019.

¹¹¹Los Angeles County Metropolitan Transportation Authority (LA Metro) Contract No. OP33202869: Up to 900 Forty-Foot (40') Low Floor CNG Transit Buses Volume I of II," Jobs to Move America, July 1, 2009.

¹¹²Noam Scheiber, "Fraud Case Against Bus Maker Shows Risks of Pay Promises in City Contracts,"

¹¹³Jobs to Move America, "Major Electric Vehicle Manufacturer Signs First Multi-State Agreement with Community and Civil Rights Group for Equitable Hiring and Good Jobs," press release May 26, 2022.

¹¹⁴Ella Fanger, "The Win for EV Workers in the South You Didn't Hear About," *The Nation*, July 1, 2024.

Jobs to Move America partnered with unions and labor advocacy, faith-based, civil rights, social service, and environmental justice organizations to form the Alabama Coalition for Community Benefits.

The Coalition began in 2019 with four community-based organizations and two unions – IUE-CWA, the industrial division of the Communication Workers of America, and the United Steelworkers (USW) – and quickly expanded into a membership of over twenty-five organizations.^{115, 116} The membership predominantly consisted of leaders from community-based advocacy and social service organizations and labor unions, while workers and community members were represented through participation and leadership. By consensus, members agreed to not create bylaws or appoint officers, which led to an informal organizational structure where members had equal control and influence over the process.

Due to the pandemic, the group held monthly online meetings and annual in-person retreats, which gave members a platform to share their organization's priorities and current projects. In addition, certain organizations met frequently in smaller groups and formed sub-committees to focus on key priority areas. Visioning sessions were conducted to understand community and worker needs and possible solutions to addressing societal problems. This inclusionary process determined the Coalition's overall priorities: good jobs, equitable hiring practices, and diversifying the manufacturing workforce.

To increase the credibility and influence of the Coalition, the group collaborated on other local efforts, such as a union campaign for an Amazon distribution center and developed a resource center for worker rights in Alabama. The Alabama Workers' Rights project included building a [website](#), creating written materials, offering trainings, and conducting webinars for workers on their rights to a safe and healthy workplace, fair treatment, and fair pay. By supporting other campaigns, the Coalition demonstrated its strength, inter-organizational solidarity, and the potential of collective action. Coalitions wield greater power and leverage than individual organizations, as collective action strengthens their bargaining position and enables them to secure more comprehensive benefits. Building coalition solidarity is therefore essential to negotiating a strong CBA and to preventing companies from cutting separate, weaker agreements with individual coalition members. Consequently, when New Flyer attempted to negotiate agreements with individual organizations from the Coalition in Fall 2021 and January 2022, the organizations refused to negotiate without the full Coalition. New Flyer ultimately agreed to negotiate with the entire coalition in Spring 2022, which led to a successful agreement finalized in June 2022.

¹¹⁵ IUE-CWA stands for the International Union of Electronic, Electrical, Salaried, Machine and Furniture Workers - Communications Workers of America.

¹¹⁶ The Coalition is still in existence, but over the years its membership has changed. The following list of members were involved in the New Flyer campaign: Greater Birmingham Ministries, Alabama Arise, NAACP Alabama State Conference, Energy Alabama, Greater-Birmingham Alliance to Stop Pollution (GASP), League of Women Voters, UAW, IUE-CWA, Sierra Club, Alabama Forward, A Better Balance, AFL-CIO, IBEW, Central Alabama Labor Council, Interfaith Power & Light, Alabama Center for Rural Organizing and Systemic Solutions (ACROSS), Hispanic Interest Coalition of Alabama (HICA), Alabama Possible, United for a Fair Economy, Alabama River Keepers, USW, Alabama Alliance, Coosa River Keepers, Capacity Collaborative, Alabama Coalition for Immigrant Justice, Jobs to Move America.

Negotiations

The negotiation of the New Flyer CBA was conducted through an open, transparent, and democratic process. Since the Coalition was too large to have all members participate in negotiations, the group decided, by consensus, to have a well-rounded negotiating committee that represented leaders of civil rights, faith-based, environmental justice, and labor organizations. As a result, the negotiating committee included leaders from Jobs to Move America, Greater Birmingham Ministries, the National Association for the Advancement of Colored People (NAACP) Alabama State Conference, Hometown Action, the Central Alabama Labor Federation, and union leaders from CWA and USW. The committee met weekly for six months and more frequently during the three months of negotiations with New Flyer. Coalition members remained involved through the final days of negotiations as a JMA leader acted as a liaison between the negotiating committee and the entire membership to ensure the Coalition supported provisions that needed to be compromised on to

Press Conference Announcing the Signed New Flyer CBA



The press conference held in June 2022, in Los Angeles, to commemorate the signing of the New Flyer CBA.

to sign the agreement due to certain limitations included in the provisions related to communication and limited capacity for implementation. Although some organizations chose not to be legally responsible for implementing the CBA, it does not take away from their role in helping to achieve the CBA. The contract is legally enforceable with clearly defined and attainable requirements and is set to expire in five years unless renewed beforehand.

reach an agreement. New Flyer and the Coalition directly negotiated and wrote the CBA provisions with support from their respective attorneys. After several rounds of revisions, the agreement was signed on May 24, 2022, by Jobs to Move America, Greater Birmingham Ministries, and New Flyer of America, Inc. While many organizations were involved with the campaign, some members were reluctant

The New Flyer CBA covers workers in Alabama and California, although New Flyer has since closed the small California facility. It includes provisions for wraparound services to remove barriers to accessing training and employment opportunities, pre-apprenticeship and apprenticeship programs, a variety of measures to improve job quality, and reporting, monitoring, and enforcement requirements to hold all parties accountable. One of the most significant provisions that New Flyer committed to was hiring at least 45% of new hires and awarding a minimum of 20% of promotions from historically disadvantaged groups.¹¹⁷ The CBA also included commitments from New Flyer to adopt a “ban the box” policy in its hiring process, work with Coalition partners to conduct outreach and recruitment of priority communities, and allow workers to attend a semi-annual, on-site financial literacy clinic hosted by a Coalition partner. Other benefits encouraged supporting inclusionary policies and practices at New Flyer such as the recognition of heritage months at the plants, developing bilingual company resources in English/Spanish, and further commitments to address discrimination and harassment, as well as safety and health issues at the workplace.

Ban the box hiring laws, policies, and practices prohibit employers from asking job seekers about their criminal history before making a job offer.

In distinct but related efforts, the unions and New Flyer, on behalf of its subsidiaries, negotiated “neutrality and card check agreements” simultaneously on April 12, 2022. Neutrality requires companies to remain neutral to unionization and not interfere with organizing efforts. Many neutrality agreements include card check recognition, meaning employers agree to voluntarily recognize employees’ choice to unionize once a majority of workers sign authorization cards in support of a union.¹¹⁸ The card check approach has fewer hurdles and is less time-consuming compared to utilizing the National Labor Relations Board’s (NLRB) formal election process. The United Steelworkers Union and Carfair Composites USA Inc. signed a card check neutrality agreement

Neutrality agreements require companies to remain neutral to unionization and not interfere with organizing efforts

Card check agreements mean employers voluntarily recognize employees’ choice to unionize once a majority of workers sign authorization cards in support of a union

for manufacturing workers in Anniston, two manufacturing plants in Wisconsin, and a plant in St. Cloud, MN. The IUE-CWA entered into a contract with New Flyer for plants in Anniston, AL, Ontario,

CA, Shepherdsville, KY, and Jamestown, NY. All of the card check neutrality agreements applied to full-time and part-time employees who work in manufacturing plants with the exception of service technicians, sales and administrative employees, and management. The signing of the card check neutrality agreements, albeit a separate process from the community benefits agreement, influenced the negotiation and implementation of community benefits agreement provisions.

¹¹⁷The CBA clearly defined historically disadvantaged groups as people of color, women, LGBTQ+ persons, systems-impacted folks, individuals who emancipated from the foster care system, local Anniston residents, persons without a high school diploma or GED, and veterans.

¹¹⁸“Respecting Workers’ Right to Organize: An Employer’s Guide,” U.S. Department of Labor, accessed December 15, 2024.

New Flyer and Jobs to Move America began meeting weekly within a few months of signing the CBA to implement the agreement and address challenges to achieving commitments, especially hiring and promotional goals.

Implementation

After a year of weekly meetings, both groups' efforts to collaborate and share in the decision-making process proved effective and regular meetings were reduced to monthly. However, the workforce development personnel from New Flyer and Jobs to Move America continued to meet weekly to troubleshoot any issues in promoting equity-based hiring, training, and other workplace initiatives. New Flyer shares quarterly reports with JMA on outreach and recruitment, training, hiring and promotion of historically disadvantaged groups, and describes their progress during quarterly meetings with JMA. New Flyer's commitment to fulfill the CBA was showcased by the involvement of company leaders from their headquarters in Canada who created an organizational structure to track data and monitor compliance. If either party

fails to make a good faith effort, it will activate a mediation or arbitration process to hold each other accountable. To encourage accountability, both parties share in the responsibilities and agreed to regular reporting requirements. For example, New Flyer and JMA are responsible for engaging community-based organizations to support outreach and recruitment of priority individuals, and ultimately help foster a more inclusive and diverse workforce at New Flyer. Regular monitoring and evaluation of goals, and strong community and business partnerships have led to more successful CBA outcomes.

Meeting of JMA's Southern Team at Greater Birmingham Ministries, an Alabama Coalition for Community Benefits Partner



This photo was taken during a meeting of JMA's Southern Team at the headquarters of an Alabama Coalition of Community Benefits partner, Greater Birmingham Ministries in Birmingham, in Summer 2022.

Wraparound Supports & Training Programs

Due to the underrepresentation of women and people of color in the manufacturing industry, the CBA included provisions for wraparound services to reduce barriers for historically disadvantaged individuals in accessing training and employment opportunities. Based on a study of the Anniston community in 2021, approximately half of residents agreed that local manufacturers do not hire local residents, and good jobs are not equally available to all.¹¹⁹ In particular, only 11% of residents agreed that justice-involved individuals have access to good jobs.¹²⁰ California and Minnesota enacted “ban the box” laws, in the late 2010s, which prohibit employers from asking job seekers about their criminal record before making a job offer. Ban the box legislation is important for fostering inclusive hiring practices because mass incarceration leads to economic barriers and disproportionately impacts low-income neighborhoods and communities of color. Since Alabama has not instituted statewide ban the box legislation, job applicants to the New Flyer manufacturing plant in Anniston

“*Workforce development is built on relationships. You must have the trainers, the instructors, the job sites to make it work. If they’re getting trained and not getting hired or not going to a post-secondary institution and furthering their education, is it beneficial? You have the training, but you’re sitting at home without a job, or you’re still living off food stamps. That’s why it takes a group of people and partnerships to make this happen.*”

— Tiqua Gator,
JMA’s Workforce Equity
Coordinator

were not afforded the same opportunities as their peers who worked in California and Minnesota. In the CBA, New Flyer committed to changing its hiring policy and agreed to no longer consider job seekers’ history with the justice system during the application process in Anniston. JMA provided legal support and partnered with local institutions working with systems-impacted people to recruit and support candidates seeking employment. For instance, an individual involved with the justice system enrolled and completed the pre-apprenticeship program, was hired as an assembler, and eventually was promoted to lead assembler. This New Flyer worker has helped recruit job seekers from the same program they were in, some of whom are still employed at the plant, and connected New Flyer to a similar program that assists individuals who need a second chance. Due to the limited workforce development organizations in the area, JMA hired community engagement and workforce equity coordinators

to develop community partnerships for referrals, connect applicants to supportive services, and to establish training programs.¹²¹ JMA has worked with New Flyer and local veterans courts to encourage prioritizing outreach to veterans because of the importance of Fort McClellan and the Anniston Army Depot to the local area.

Training programs that provide wraparound and supportive services are more likely to lead to higher rates of training completion as well as job placement and retention for historically marginalized individuals.¹²² In accordance with the CBA, JMA has raised funding to cover transportation costs for

¹¹⁹ Erickson, *Are Good Jobs Possible in the Deep South? Report on Anniston, Alabama: A Southern Manufacturing Community.*

¹²⁰ Erickson, *Are Good Jobs Possible in the Deep South? Report on Anniston, Alabama: A Southern Manufacturing Community.*

¹²¹ While the hiring of coordinators was not a provision of the CBA, these positions were crucial for meeting hiring and promotion goals.

¹²² Samantha Guerrero et al., *Wraparound Supports | The New School Budget Equity Project*

priority individuals, including subsidies for private travel to and from work and the training facility. Due to Anniston being in a rural area, there is a lack of public transportation access, and individuals must travel longer distances to commute for work and school, and to access health care and groceries. JMA built relationships with Coalition partners and community organizations, including higher education institutions, to prioritize outreach to and meet the needs of underrepresented populations in manufacturing. The Workforce Equity Coordinator developed an assessment process to identify job seeker's skillset and determine any barriers to employment, including connecting applicants to community and government resources for assistance with childcare support, affordable housing, utility coverage, food assistance, and coverage of internet and cell phone services.

As a part of the agreement, New Flyer allows on-site semi-annual financial literacy clinics for employees which are facilitated by JMA. These clinics have been offered three times to date. There were initial complications with conducting the clinic due to workers wanting greater anonymity and fear of being stigmatized by their peers for financial difficulties. Consequently, the clinic was renamed from debt to financial literacy and opened to the community to participate.

In addition to the above-mentioned wraparound supports, new hires and pre-apprenticeship cohorts receive job readiness and personal development training, participant stipends for the pre-apprenticeship program, and financial coverage for training and supplies. New Flyer and JMA have partnered with Gadsden State Community College to develop and administer a pre-apprenticeship program to train priority individuals for entry-level positions in manufacturing, such as assemblers, who are interested in pursuing electrical technician positions in electric vehicle manufacturing.¹²³ The pre-apprenticeship program is comprised of three phases. The first phase is a six-week program meeting certain needs identified by New Flyer and outlined in the CBA, including mathematical literacy, blueprint reading, and workforce readiness training. In this phase, cohorts receive Occupational Safety and Health Administration (OSHA) 10-hour training certification – an entry-level workplace health and safety program – along with tool identification and usage training culminating in various Snap-On Tools certificates. Phases two and three incorporate on-the-job training at New Flyer and competency-based completion benchmarks. New Flyer accepts JMA's referral of individuals who complete phase one for employment, and then, per the CBA, offers preferred entry for an apprenticeship program to become an electrical technician. One of the caveats of the electrical apprenticeship program is there are a few positions at the plant and only two electrical technician openings, limiting opportunities for promotions for individuals who have completed the pre-apprenticeship program.

New Flyer registered the electrical apprenticeship with the Alabama Office of Apprenticeship (AOA) in 2024. Due to delays in registering the apprenticeship with the state, the pre-apprenticeship program has yet to be certified by the AOA. One reason for the delay is on account of the selection process for apprentices. Since the signing of the community benefits agreement, the Anniston plant has been unionized and decisions regarding the apprenticeship programs have been built into the union contract. For apprentice selection, the union contract pairs a preference for seniority with a preference for pre-apprentices by ensuring that half of apprentices come from JMA's pre-apprenticeship cohorts. Simultaneously, a joint labor-management committee is working together

¹²³ Gadsden State Community College is the closest community college to Anniston and is roughly thirty-five miles away from the New Flyer facility or approximately forty minutes by car.

to develop an industrial manufacturing technician (IMT) apprenticeship run jointly by New Flyer and the IUE-CWA union in Anniston. New Flyer had also committed to running pre-apprenticeship and apprenticeship programs in Ontario, but subsequently closed the plant. While no pre-apprenticeships were run in California, one pilot pre-apprenticeship program was completed in Fall 2023 in Anniston.

The first cohort of the pre-apprenticeship program consisted of local Anniston residents with some college experience and had strong representation from underrepresented groups as defined by the CBA. Five out of seven trainees identified as Black or African American (~71%), and two trainees identified as women (~29%). The pre-apprenticeship program had a 100% completion rate and a job placement rate of ~86%. Five trainees were hired by New Flyer as assemblers making \$19.37 per hour, one trainee already worked at New Flyer as an assembler but wanted to develop their skills to be prepared for a registered apprenticeship program (RAP), and another trainee opted to pursue higher education. One trainee is enrolled in the first cohort of the electrical apprenticeship program, which will begin in February 2025. The pre-apprenticeship program improved trainees' chances for employment because 85% of the cohort had previously applied to New Flyer and were never hired. Only one cohort of the pre-apprenticeship has run due to complications with registering the apprenticeship programs and limited advancement opportunities for a particular RAP, but JMA is currently working to expand its partnerships with other employers and give trainees multiple options for job placement.

Good Jobs and Equitable Hiring

Community members are interested in working at New Flyer because it offers workers higher wages compared to other employers in the area. The outreach and recruitment efforts of the Coalition, New Flyer's inclusive hiring approach, such as ban the box, and regular tracking and reporting, has led to increased access to employment opportunities for historically marginalized populations. Consequently, New Flyer has met and exceeded its 45% hiring and 20% promotion goals for historically disadvantaged workers in every quarter since the CBA was signed. Furthermore, New Flyer discontinued using the services of two temporary staffing agencies previously used to hire temporary workers.

After the card check neutrality agreement was signed, New Flyer workers' ability to participate in open discussions about joining either the IUE-CWA or USW union (depending on the plant) was significantly enhanced.¹²⁴ Workers at the New Flyer facility in Jamestown, New York were the first to unionize and join IUE-CWA in August 2022, which was then followed by New Flyer workers who joined the IUE-CWA at Shepherdsville, Kentucky in February 2023. Also in February 2023, the Carfair Composites manufacturing plant in Anniston unionized, and workers joined the United Steelworkers Union.¹²⁵

On January 31, 2024, the union authorization cards were tallied by an independent party – a local minister – and a majority of Anniston workers supported union representation by IUE-CWA. On that day, New Flyer recognized the union. New Flyer workers then elected a negotiating committee which worked over the subsequent four months to negotiate the first collective bargaining agreement with

¹²⁴This excluded plants in Canada and Minnesota because they were previously unionized.

¹²⁵In fall 2024, workers at Carfair Composites in St. Cloud, MN joined the USW.

the company, as workers had done in the other plants. The union contract was ratified in May 2024 by 98–99% of the members, and achieved over 60% of workers paying dues after ratification.^{126, 127, 128}

Anniston workers received pay increases between 15% to 38% over the life of the 30-month union contract, retroactive raises paid in a lump sum, additional retirement benefits, and improved paid time off, vacation, and parental leave.¹²⁹

Prior to the Collective Bargaining Agreement, the average salary for New Flyer workers was \$19.58 per hour. Since joining the union, the average starting salary is \$25.78 per hour with the lowest salary being \$20.70 per hour. This wage increase is crucial because the living wage in Calhoun County is \$19.61 per hour, as of 2025.¹³⁰ The contract formed a joint-management committee related to training and apprenticeships and health and safety. New Flyer management and the union leaders continue to work together to address setbacks in adapting to a unionized environment. Despite a few challenges, some New Flyer workers have expressed increased job satisfaction because of increased pay and benefits, greater job security, and a fairer workplace due to union representation.

IUE-CWA now represents 1,200 workers through the unionization of the plants in New York, Kentucky, and Alabama, bringing the Union's total footprint to over 2,350 at New Flyer and making it the largest union in the public transit bus manufacturing industry.^{131, 132} Carfair workers from Anniston and St Cloud, Minnesota have also elected to join the USW and have ratified new union contracts. Since Alabama is a right-to-work state, the 600 workers in the Anniston plant are not required to pay dues and join the union, but all workers still benefit from union representation. The presence of the union guarantees that Anniston workers will receive similar wages, benefits, and treatment as their peers who work in other states, and will no longer be subjected to the Southern discount.¹³³



¹²⁶Fanger, "The Win for EV Workers in the South You Didn't Hear About."

¹²⁷"New Flyer Workers in Anniston, Alabama Ratify Union Contract, Signaling a Triumph for Labor in the South: Significant Pay Raises, Expanded Benefits, and Improved Workplace Rights at Largest Transit Bus Manufacturer in North America," Communication Workers Union (CWA), May 16, 2024.

¹²⁸Lee Evancho, "New Flyer Workers in Anniston Successfully Unionize and Secure First Contract," *Calhoun Journal*, May 25, 2024.

¹²⁹Fong, "The Art of the Green New Deal."

¹³⁰"Living Wage Calculation for Calhoun County, Alabama," Massachusetts Institute of Technology (MIT), last updated February 10, 2025.

¹³¹The New Flyer plant in Ontario never became unionized because the plant shut down, but the card check agreement still applies if the plant were to reopen.

¹³²Fong, "The Art of the Green New Deal."

¹³³Chance Phillips, "Workers at an Electric Bus Plant in Anniston Unionized and Won Double-Digit Raises: Thanks to a New Law, New Flyer Would've Faced Severe Penalties if They'd Voluntarily Recognized the Union Just Months Later," *Alabama Political Reporter*, May 22, 2024.

New Flyer Worker Panel



Workers shared the positive impact the provisions of the Community Benefits Agreement, along with becoming a unionized plant, has had in their own lives.

Workplace Culture & Safety

Prior to the signing of the CBA, a study of manufacturing workers in Anniston showed that 42% of workers found racism to be an issue in the workplace and 28% of workers reported gender discrimination.¹³⁴ Most Black workers (65%) and some women (31%) experienced discrimination on the job, including being overlooked for promotions and wage disparities.¹³⁵ In the CBA, New Flyer agreed to permit JMA to contract with an independent party who would privately advocate for workers who alleged experiencing discrimination, harassment, and unfair treatment based on certain social identities including, race, gender, and LGBTQ+. The local NAACP entered into a six-month agreement with JMA - approved by New Flyer - to address worker grievances by offering recommendations to New Flyer and assisting workers in filing internal complaints with the company. If the recommendation was unsuccessful, the next step would be to use an independent mediator, followed by binding arbitration. The program was not as effective as expected because workers had a limited relationship with the NAACP, and some white workers argued that the grievance process was not accessible to them. Ultimately, between five to eight workers utilized the NAACP service to file a grievance with the company for harassment and discrimination. Once the plant was unionized, the anti-discrimination program created by the CBA expired because the union contract provided all workers with a grievance process. As a result, NAACP's contract with JMA was not renewed, and the union took over this responsibility.

To create a more inclusive workplace and honor the diversity of its workers, New Flyer committed to recognizing heritage months at the plants, added Juneteenth as a paid holiday, and created bilingual outreach, recruitment, administration, and training materials in English and Spanish. New Flyer also agreed to allow JMA to have a bulletin board in the company cafeteria, which provided information on community resources and services, such as financial literacy clinics, the anti-discrimination complaint process while in effect, and health and safety trainings.

Workplace health and safety procedures are critical in manufacturing due to operating heavy machinery, utilizing hazardous materials and substances, and the physical stress of the job,

¹³⁴Erickson, *Are Good Jobs Possible in the Deep South? Report on Anniston, Alabama: A Southern Manufacturing Community.*
¹³⁵Erickson, *Are Good Jobs Possible in the Deep South? Report on Anniston, Alabama: A Southern Manufacturing Community.*

especially repetitive tasks and carrying hefty items. Prior to the signing of the CBA, twelve percent of Anniston manufacturing workers experienced a serious injury at their present workplace, with Black workers disproportionately experiencing higher rates of injury compared to white workers.¹³⁶ Forty-four percent of workers who witnessed an OSHA or EEOC violation failed to report it for fear of retribution.¹³⁷ To take a proactive approach to workers' health and safety, New Flyer committed to a Joint Management and Employee Safety and Health Committee with greater worker participation in Anniston and regularly scheduled meetings, and also allowed employees to attend semi-annual OSHA safety training sessions in Anniston and Ontario. JMA's Community Engagement Coordinator led several OSHA-10 training sessions for community members interested in working in manufacturing and for New Flyer employees. Thus far, 259 local residents have received OSHA-10 certification, and of whom approximately twenty-five individuals were hired by New Flyer after completing the training program. The Committee still meets regularly to address health and safety issues, and OSHA-10 training sessions continue to be conducted.

Outcomes

Merely negotiating a community benefits agreement in a state not conducive to organized labor and where company priorities often overshadow community and environmental concerns was a monumental achievement by itself.¹³⁸ Despite a few challenges in implementing the CBA, there have been historic achievements starting with the existence of a successful partnership between a major manufacturer, community-based organizations, and two unions to support the company and its workers in creating greater success for all. Numerous historically disadvantaged workers have been hired at New Flyer since implementation and job quality continues to improve at the plant. Community members, workers, and stakeholders expressed how the CBA, particularly provisions around increased access to training and employment opportunities at New Flyer, have positively impacted people's lives by breaking down barriers to attaining a good job in the area. The CBA helped in supporting efforts to create a more inclusive and equitable workplace with safer working conditions, and union representation continues to build on this work and promote a positive work-life balance. The New Flyer CBA can be used as a model for manufacturing plants in other Southern states and nationwide to showcase the need to maximize the benefits for communities when companies are given tax incentives and public subsidies.

New Flyer Worker Organizing Committee Meeting







In early 2024, workers received training on establishing a communication pipeline and After Action Reviews (AAR) during a worker organizing committee meeting in Anniston.

¹³⁶ Erickson, *Are Good Jobs Possible in the Deep South? Report on Anniston, Alabama: A Southern Manufacturing Community.*

¹³⁷ Erickson, *Are Good Jobs Possible in the Deep South? Report on Anniston, Alabama: A Southern Manufacturing Community.*

¹³⁸ CWA, "New Flyer Workers in Anniston, Alabama Ratify Union Contract, Signaling a Triumph for Labor in the South: Significant Pay Raises, Expanded Benefits, and Improved Workplace Rights at Largest Transit Bus Manufacturer in North America."

Table 3 | Full Description of the New Flyer CBA

 <p>Scale of Project</p>	<p>In 2013, New Flyer entered into a \$500 million contract with LA Metro for 900 low-floor compressed natural gas (CNG) transit buses that included a good jobs incentive called the U.S. Employment Plan.</p> <p>New Flyer received local and state tax incentives, in 2017, for expanding the Anniston facility to cover the cost of building the Vehicle Innovation Center, extending the parking lot, building a cafeteria, and expansion of operations such as adding space for metal-stamping.</p>						
 <p>Public Funding</p>	<p>In addition to the contract with LA Metro, the following entities provided tax abatements for the expansion:</p> <table border="1" data-bbox="630 615 1308 720"> <tr> <td>Anniston’s Industrial Development Authority</td> <td>\$631,000</td> </tr> <tr> <td>State and county</td> <td>\$723,000</td> </tr> <tr> <td colspan="2" style="text-align: right;">\$1.354 million, in total</td> </tr> </table>	Anniston’s Industrial Development Authority	\$631,000	State and county	\$723,000	\$1.354 million, in total	
Anniston’s Industrial Development Authority	\$631,000						
State and county	\$723,000						
\$1.354 million, in total							
 <p>Negotiation Process</p>	<p>The Alabama Coalition for Community Benefits is a coalition of over twenty-five labor, faith-based, civil rights, social service, and environmental justice organizations. The Coalition unanimously selected members, who were representative of diverse interests, to join a sub-committee to negotiate the community benefits agreements with New Flyer. During negotiations, which took place over a three-month period, the Coalition’s negotiating committee sought approval from the larger Coalition membership on provisions that could be compromised on or left out of the agreement.</p>						
 <p>CBA Benefits / Requirements</p>	<p>New Flyer, Jobs to Move America, and Greater Birmingham Ministries agreed to the following CBA provisions in May 2022:</p> <p>Workplace Safety and Culture</p> <ul style="list-style-type: none"> • OSHA-10 certification for workers and community members • Joint Management and Employee Safety Committee with greater worker participation and regularly scheduled meetings • Bulletin board at each plant provides information on community resources and services • Enact harassment and discrimination policy in each plant • Recognition of heritage months at each plant • Execution of the semi-annual financial literacy clinic • Distribution of Spanish language reading materials on workplace rights and training • Third party that assisted with discrimination and harassment claims <p>Education and Training</p> <ul style="list-style-type: none"> • Development and administration of pre-apprenticeship and apprenticeship programs <p><i>(cont’d.)</i></p>						

 <p>CBA Benefits / Requirements (cont'd.)</p>	<ul style="list-style-type: none"> • New Flyer and JMA collaborate with community organizations and higher education institutions to develop pre-apprenticeship program, support the outreach and recruitment of historically disadvantaged individuals, and connect applicants to supportive services. • Pre-apprenticeship includes technical and career readiness training, on-the-job training, competency-based completion benchmarks, and provides wraparound services • Individuals who complete pre-apprenticeship program have preferential entry for employment and into the apprenticeship programs <hr/> <p>Hiring Policies and Wraparound Supports</p> <ul style="list-style-type: none"> • Equity-based measures to reduce barriers to education and employment opportunities for historically disadvantaged populations, including: <ul style="list-style-type: none"> ◦ Identifying barriers to access employment opportunities at plant ◦ Increasing access to transportation for employees ◦ New Flyer’s commitment to ban the box hiring policy <hr/> <p>Employment and Workforce Participation</p> <ul style="list-style-type: none"> • Recruitment of new hires from historically disadvantaged backgrounds (min 45%) • Promotion of historically disadvantaged groups (min 20%) • Regular tracking and reporting of data on hiring and promotions
 <p>Implementation Process</p>	<p>New Flyer and Jobs to Move America meet regularly to implement the agreement, and both parties have built a strong relationship to mitigate any challenges to achieving commitments.</p>
 <p>Monitoring & Enforcement Mechanisms</p>	<p>New Flyer leadership and JMA’s Southern team track data and monitor compliance. If either party fails to make a good faith effort in achieving commitments, it will activate a mediation or arbitration process to hold each other accountable.</p>
 <p>Transparency & Reporting</p>	<p>New Flyer shares quarterly reports on outreach and recruitment, training, hiring and promotion of historically disadvantaged groups, and describes their progress during quarterly meetings with JMA.</p>
 <p>Accountability</p>	<p>Both parties share the responsibilities and conduct regular reporting and monitoring to hold all parties accountable for fulfilling CBA requirements. The CBA includes binding arbitration if disputes are unresolved between the parties.</p>

Labor-community coalitions, employers, and policymakers interested in enacting similar agreements can utilize this case study to understand the challenges and advantages of a community benefits agreement. The New Flyer CBA offers insights and best practices for building a strong coalition, along with negotiating and implementing a meaningful and successful CBA.

Building a Coalition

The New Flyer CBA case study illustrates the importance of doing research, educating and building trust in the community, engaging diverse stakeholders, and forming a democratic structure to run a successful campaign.

1 **Recommendation One:** **Research community, worker, and employer needs, including conducting surveys of the workers and surrounding communities.**

It is critical for labor-community coalitions to research information about the project and company, including surveying workers at a facility (if there are any) and community members living around the proposed or existing facility to understand how to create a CBA, and identify community needs to build a strong coalition and mobilize for a successful campaign. This research sets the groundwork for organizing the campaign because it identifies key stakeholders, such as allies and opponents, who can support or hinder the campaign, defines community problems and how the CBA could address these issues, and determines resources, opportunities and factors that may impact negotiations and the overall outcomes that are achieved.

EXAMPLE By researching the Anniston community, Jobs to Move America was able to identify and recruit partners interested in engaging in a CBA campaign and ultimately formed the Alabama Coalition for Community Benefits. The Coalition worked with a team at the Alabama A&M University to examine the state of the local manufacturing workforce. The team conducted surveys of local Anniston manufacturing workers and community members regarding the impact of Aniston's manufacturing industry. Various reports were published demonstrating the need to improve access to education and employment opportunities for local community members, and employ programs and other initiatives that mitigate discrimination and harassment

as well as illness and injuries in the workplace. Identifying the needs of community members and workers offered a space for residents to participate in the campaign by sharing their experiences and top priorities through a variety of media platforms.

2 **Recommendation Two:** **Educate the community, corporations, and other stakeholders on the benefits of community benefits agreements.**

To spread awareness of and increase support for CBAs, it is recommended that communities, corporations, and other stakeholders be educated on when CBAs can be used, how they work, who is involved in enacting them, and why they can be beneficial to the interests of all stakeholders if enacted correctly. The goal of the CBA is to be a mutually beneficial contract for all parties involved. Stakeholders must also understand the stages of a CBA project, which will likely take several years.

EXAMPLE Provisions in the New Flyer CBA reduced barriers for historically marginalized individuals in accessing good high-paying jobs at the Anniston plant, and simultaneously benefited the company by reducing the skills gap and building a trained workforce. In particular, the community outreach and recruitment mechanisms and the development of a pre-apprenticeship and apprenticeship program created a workforce pipeline that was trained and upskilled. The outcomes of the New Flyer CBA demonstrate how New Flyer, the workers, and the community all benefited from the CBA provisions. New Flyer gained a trained workforce, while Anniston residents had greater access to training and employment opportunities for good jobs, and overall job quality increased at the plant.

“*It takes time to build trust, and to educate people about the possibilities. And I’m not saying that everybody at Anniston is like this. But a lot of the South, people are overwhelmed. And they’re trying to keep a roof over their head, get their kids to school, feed their kids, maintain a job, sometimes 2 or 3 jobs just to get by. And somebody telling them that there’s this legal document that we might try to get your employer to sign. I mean, that’s like the last thing on their minds.”*

– Kathleen Kirkpatrick, a Coalition member who represented an environmental justice organization

3

Recommendation Three: Build a diverse and inclusive coalition.

A key component to building trust in the community is through authentic and robust community engagement. Recognizing and collaborating with all stakeholders from diverse backgrounds is essential to creating a strong community coalition.



Parties never want to set up a CBA that cannot be executed.”

– Tiqua Gator, Workforce
Equity Coordinator

EXAMPLE

The Alabama Coalition for Community Benefits consisted of advocacy and supportive service organization leaders with differing interests such as economic, environmental, racial, gender, and social justice, along with labor union leaders. Workers and community members participated in the Coalition, but they had limited capacity to stay involved and support the campaign. Consequently, the majority of the membership included organizational leaders who had the ability to advocate on a long-term campaign and who represented local community and worker interests. Additionally, the labor-community partnership offered additional support during negotiations.

4

Recommendation Four: Create a democratic organizational structure with strong participation from community members and workers.

For a coalition to ensure an equal participatory process among its members, it is essential that the organizational structure be democratic with representation among all stakeholders - especially those most impacted - with extensive trust building, transparency and accountability. Perceived conflicts between coalition members regarding the priority of different goals should be worked out ahead of time through courageous conversations, so coalition members are better prepared to support each other during negotiations. This is particularly important when a coalition includes unions focused on representing workers at a facility and community-based organizations advocating for local priorities such as more inclusive hiring, expanding educational and training opportunities, and environmental justice.

EXAMPLE

The Coalition organizations met regularly to discuss the campaign and held several visioning sessions to involve all members in deciding the priorities of the CBA, including community members and workers. The Coalition unanimously selected negotiating committee members who

represented the group's different interests (e.g., labor union leaders, faith-based organizations, and environmental, civil rights, and economic justice advocacy organizations). The trust built amongst Coalition members was key to 1) creating a democratic process where all members equally participate, and 2) increasing unity among organizations which led to additional influence at the negotiating table. As a side note, the Coalition continues to meet regularly regarding various campaigns and conducts ongoing community and worker engagement.

Negotiations & Implementation

The negotiations may begin once all parties are successfully brought to the table, especially the company. A more democratic, transparent, and inclusive negotiation and implementation process with worker and community participation is more likely to achieve successful CBA outcomes as long as the company comes to the table with a desire to reach an agreement.

1

Recommendation One:

Build a mutually respectful relationship between stakeholders involved with negotiations and implementation to foster a democratic and participatory process.

Leading stakeholders from all parties must maintain a respectful and collaborative relationship to achieve a negotiation and implementation process that is democratic and participatory. A democratic and participatory process that is diverse, representative, and recognizes all stakeholders and their interests will lead to a more successful CBA.

EXAMPLE The negotiation process between the Coalition and New Flyer was built on trust and openness, and both parties utilized their own attorneys to assist with writing and negotiating the agreement. While only a few Coalition members were selected to be on the negotiating committee, the entire membership participated by ensuring that all items agreed to in the CBA maintained the values of the Coalition. Due to the respectful and collaborative relationship between New Flyer and JMA, stakeholders worked together to overcome challenges in achieving CBA provisions. This democratic and participatory approach to the negotiation and implementation process led to the delivery of more successful outcomes.

2

Recommendation Two:

Determine non-negotiables with areas of substantial disagreement worked out in advance of negotiations, and guarantee negotiated requirements benefit all.

Coalitions must acknowledge their top priorities and what provisions are non-negotiable. A good agreement is one where both sides may not be fully satisfied, but each party is able to maintain their own values. Prior to negotiations, coalition members build trust and work through any disagreements or lack of commitment to a clear package of non-negotiable demands to ensure all parties stand together in the face of company pressure to give up key demands.

EXAMPLE

Equity-based hiring and promotion goals were of great importance for the Anniston community, so the Coalition compromised on the percentages but would never agree to a contract without them. The economic equity measures - including the pre-apprenticeship and apprenticeship programs and wraparound supports – increased employment opportunities for historically disadvantaged populations, while simultaneously securing a skilled and trained workforce for New Flyer. Despite environmental justice being a community priority, environmental provisions never made it into the agreement, aside from workplace safety requirements.

3

Recommendation Three:

Ensure that CBA provisions are attainable.

The provisions in the CBA must be attainable for all parties to meet. All parties need to ensure that the infrastructure is or will be present to meet the provisions outlined in the contract. It is useful to include experts on a particular subject area, such as the environment or workforce development, to guarantee that the provision can be achieved and has the necessary impact on workers and the community.

EXAMPLE

Developing the pre-apprenticeship program was challenging due to a lack of clarity on what the program entailed, who would be eligible to participate, and the roles of those responsible for implementing the program. New Flyer needed internal support to carry out the programs, and community partners needed resources and capacity to assist with successfully training historically disadvantaged populations. These shortcomings were fixed through strong collaboration between New Flyer, the Coalition, and community partners.

4

Recommendation Four: Include transparency, monitoring, evaluation, and enforcement mechanisms in CBAs.

The CBA should be negotiated and implemented in a transparent process with as much information publicly available to the community. The negotiated CBA must include strong monitoring and enforcement mechanisms. Committees, with community participation, should be set up to monitor the achievement of CBA provisions and troubleshoot any challenges. The inclusion of strong enforcement mechanisms, such as binding arbitration, is key to ensuring that all disagreements and disputes can be resolved in a timely manner. Lastly, all parties must be mutually responsible for implementing CBA, so everyone mutually benefits.

EXAMPLE

The negotiation and implementation process was transparent because negotiated CBA provisions were shared with Coalition members for approval, and JMA continues to hold regular meetings with New Flyer to discuss the progress of achieving agreement provisions, including evaluating the tracking of agreed-upon metrics. There are no broad confidentiality provisions in the CBA except hiring data is confidential to the parties. It is important that Coalition partners and the employer work together to implement the agreement, so one party is not responsible for carrying all the weight. Regular reporting and monitoring holds all parties accountable for fulfilling CBA requirements.

Table 4 | **Best Practices to Achieve a Meaningful and Successful CBA**

Building a Coalition

RECOMMENDATION	DESCRIPTION
<p>Research community, worker, and employer needs, including conducting surveys of the workers and surrounding communities.</p>	<p>It is critical for labor-community coalitions to research information about the project and company, including surveying workers at a facility (if there are any) and community members living around the proposed or existing facility to understand how to create a CBA, and identify community needs in order to build a strong coalition and mobilize for a successful campaign.</p>
<p>Educate the community, corporations, and other stakeholders on the benefits of community benefits agreements.</p>	<p>To spread awareness of and increase support for CBAs, it is recommended that communities, corporations, and other stakeholders be educated on when CBAs can be used, how they work, who is involved in enacting them, and why they can be beneficial to the interests of all stakeholders, if enacted correctly. The goal of the CBA is to be a mutually beneficial contract for all parties involved. Stakeholders must also understand the stages of a CBA project, which will likely take several years.</p>
<p>Build a diverse and inclusive coalition.</p>	<p>A key component to building trust in the community is through authentic and robust community engagement. Recognizing and collaborating with all stakeholders from diverse backgrounds is essential to creating a strong community coalition.</p>
<p>Create a democratic organizational structure with strong participation from community members and workers.</p>	<p>For a coalition to ensure an equal participatory process among its membership, it is essential that the organizational structure be democratic with representation among all stakeholder. – especially those most impacted – with extensive trust building, transparency and accountability.</p>

Negotiations & Implementation

RECOMMENDATION	DESCRIPTION
<p>Build a mutually respectful relationship between stakeholders involved with negotiations and implementation to foster a democratic and participatory process.</p>	<p>Leading stakeholders from all parties must maintain a respectful and collaborative relationship to achieve a negotiation and implementation process that is democratic and participatory. A democratic and participatory process that is diverse, representative, and recognizes all stakeholders and their interests will lead to a more successful CBA.</p>
<p>Determine non-negotiables with areas of substantial disagreement worked out in advance of negotiations, and guarantee negotiated requirements benefit all.</p>	<p>Coalitions must acknowledge their top priorities and what provisions are non-negotiable. A good agreement is one where both sides may not be fully satisfied, but each party is able to maintain their own values.</p>
<p>Ensure that CBA provisions are attainable.</p>	<p>The provisions in the CBA must be attainable for all parties to meet. All parties need to ensure that the infrastructure is or will be present to meet the provisions outlined in the contract. It is useful to include experts on a particular subject area, such as the environment or workforce development, to guarantee that the provision can be achieved and has the necessary impact on workers and the community.</p>
<p>Include transparency, monitoring, evaluation, and enforcement mechanisms in CBAs.</p>	<p>The CBA should be negotiated and implemented in a transparent process with as much information publicly available to the community. The negotiated CBA must include strong monitoring and enforcement mechanisms. Committees, with community participation, should be set up to monitor the achievement of CBA provisions and troubleshoot any challenges. The inclusion of strong enforcement mechanisms, such as binding arbitration, is key to ensuring that all disagreements and disputes can be resolved in a timely manner.</p>

Community benefits agreements can help to rectify the negative impacts of past political and economic decisions which have led to inequities in local communities, as exemplified by the New Flyer CBA. The case study demonstrates the importance of ensuring public policies that provide public funding for clean technology manufacturing and incentive structures also include community benefits like good jobs, equity-based workforce provisions, and investments in historically disadvantaged communities.

Community benefits agreements can be an effective tool to ensure that public investments lead to positive outcomes for all stakeholders, if done properly. The New Flyer CBA illustrates how all stakeholders can benefit from an equitable economic development model because it has fostered employment opportunities for historically disadvantaged populations and simultaneously guaranteed that New Flyer has a skilled and trained workforce. In addition, the CBA prioritizes health and safety in the workplace and an inclusive organizational culture, which increases job quality and in effect job retention.

Overall, CBAs offer an equitable approach to economic development, which is vastly different from the Southern economic development model that has proven to have poor outcomes for communities in the South. Labor-community coalitions and corporate-community partnerships interested in enacting CBAs are recommended to foster a process that is: 1) democratic and inclusive of community and worker participation, 2) representative of stakeholders from diverse backgrounds, and 3) transparent to achieve successful CBA outcomes and most importantly a positive impact on communities and workers. The New Flyer CBA illustrates how community benefits agreements advance social, racial, and economic justice principles and the importance of embedding CBAs and other similar initiatives into economic development practices.





— JAY MEHTA —
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