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May 4, 2015

The Honorable Anthony Foxx
Secretary
U.S. Department of Transportation
Docket Operations
1200 New Jersey Avenue SE
Washington, DC 20590

Docket DOT-OST-2015-0013
RIN 2105-AE38

Re: Proposed Rulemaking on Geographic-Based Hiring Preferences in Administering Federal Awards

Dear Secretary Foxx:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations to promote and protect the rights of all persons in the United States, we are pleased to submit the following comments in connection with the Department of Transportation's (DOT's) proposed rulemaking on geographic-based hiring preferences in administering federal awards. We support DOT's proposed pilot program, which would permit city and state departments of transportation to take into account economic and geographic preferences when hiring for local contracts. The DOT's current prohibition on local hiring is an impediment to transportation equity, and we believe that the proposed new local hire program is a step in the right direction.

The Leadership Conference supports policies that connect investments in our transportation infrastructure to quality jobs in the communities in which the transportation projects are located. Research has shown that many of the communities that The Leadership Conference represents, including women, low-wage workers, and communities of color, are vastly underrepresented in jobs in the transportation sector when compared with their overall participation in the workforce. If enacted, this new local hire program will promote fuller workforce inclusion in the transportation sector and help promote policies that will result in a system where more communities benefit from investments in our nation's transportation system.

When local and targeted hiring provisions are accompanied by strong relationships between government, community, labor, and contractors, along with employment and training opportunities, they help to spur job growth and maximize the economic benefits of public expenditures. Below are examples of a few communities that have successfully used local and targeted hire provisions on transportation projects:

- In 2008, only 30 percent of transportation jobs in [Milwaukee](#) were going to those living in the area. By 2012, after implementing local hiring policies advanced by equity advocates, 46 percent of the workforce for Milwaukee's local transportation projects were city residents.



- In [Los Angeles](#), the nearly \$2 billion LAX/Crenshaw Light Rail project is predicted to create 7,500 jobs. Forty percent of the project's work will be reserved for low-income and underemployed residents after equity advocates championed a targeted hire provision to ensure that the entire community would benefit from this major investment in transportation infrastructure.
- In [Oakland](#), city leaders are using local hiring policies in a \$400 million project that will revitalize a former Army base. This local hire strategy includes requirements that Oakland residents perform half of the total work hours for the project, and also that residents who face barriers to employment (such as veterans, long-term unemployed, welfare recipients, and the formerly incarcerated) make up 25 percent of workers.

The DOT must reexamine its local hire policy for federally-funded projects if the agency's investments are ever to fulfill their potential of serving the communities most in need of good transportation jobs. Unfortunately, communities from around our nation that have tried to deliver on the promise of employment and training opportunities for their residents have found the DOT prohibition on local hiring to be a significant stumbling block. This represents a missed opportunity for connecting these communities to quality jobs, especially given the good wages and benefits that often accompany transportation work.

Going forward, we urge the DOT to make this program permanent in order to solidify gains in workforce inclusion. Moreover, it is critical that the DOT extend the allowance for targeted hiring provisions to apply to women and people with disabilities, who also stand to benefit significantly from such policies. This may be accomplished by inserting a provision into the federal surface transportation authorization that would allow for local and targeted hiring. We urge the DOT to support such efforts as they are entirely consistent with the department's Ladders of Opportunity Program and represent an important tool for fostering economic and social equity.

Thank you for the opportunity to comment on the proposed rulemaking. If you have any questions, please contact Emily Chatterjee, Senior Counsel at (202) 466-3648.

Sincerely,

Wade Henderson
President & CEO

Nancy Zinkin
Executive Vice President