

Reentry and Employment for the Formerly Incarcerated and the Role of American Trades Unions

This policy brief explores the effect of under- and un-employment on the formerly incarcerated and how the expertise and structure of American trades unions could provide critical training programs inside and outside of prisons and jails. In this brief, we list some of the funding streams that could support such efforts during incarceration and highlight some current partnerships between organized labor, community advocates, and employers to connect the formerly incarcerated to quality jobs after release.

Work in Good Jobs is a Critical Component to Successfully Reentering Communities After Incarceration

American communities are experiencing massive movements of residents each year as 600,000 people are released from jails and prisons.¹ For these men and women, making a living on the outside is not easy. Evidence indicates that between 60 and 75 percent of the formerly incarcerated remain unemployed up to a year after their release,² and one poll found that more than one-third of all nonworking men between the ages of 25-54 had criminal records.³ Because women workers are concentrated in industries that perform more criminal background checks—retail and caregiving—formerly incarcerated females may have still greater challenges in finding employment.⁴

Unemployment complicates their ability to contribute to families whose economic status and opportunities may have already been severely compromised while the returning citizen was incarcerated.⁵ A study of women released from prisons in Texas found that 18 percent still depended on public assistance 8 to 10 months after their release.⁶ And when the formerly incarcerated do find work, it is all too often in low-wage occupations that continue to hamper their ability to contribute to family incomes; a multi-year study found that prison time lowered wages by up to 20 percent.⁷

However, employment can make all the difference in the lives of people who have been incarcerated, especially if the job pays fair wages and benefits to support the family and provides structured career advancement opportunities.⁸ Unionized jobs offer still more advantages that provide critical support for these workers, including established career pathways leading to middle-class jobs and an established dispute resolution process that can help ensure the returning citizen has an advocate to help negotiate with an employer in the event of any workplace grievances.

Labor Unions Have the Workplace Expertise, Structure, and Relationships to Help the Formerly Incarcerated Find Good Jobs

The labor movement is taking a serious look at its role in addressing the devastating impact of over-criminalization and mass incarceration on those communities already hard hit by unemployment. Union leaders have called for changes in the criminal justice system, noting that “one dumb mistake, one misstep should not ... put someone in prison for decades.”⁹ Calling for “mass employment, not mass incarceration,” AFL-CIO President Richard Trumka called for more emphasis on programs to help the formerly incarcerated reintegrate into their communities, including education and job training.¹⁰

The effects of un- and under-employment for the formerly incarcerated are widespread and bad for our communities. There is a proven formula for decent, safe, fairly paid jobs: labor unions (though their role in helping communities disproportionately impacted by harsh criminal justice laws has been uneven in the past).¹¹ Economists find that a unionized job comes with a wage premium of almost 14 percent over non-unionized counterparts.¹² And moving formerly incarcerated parents into unionized jobs will pay off for their children as well. Research shows that children experience more economic mobility when they grow up in neighborhoods with higher union membership, and their own incomes may be as much as 28 percent higher if their fathers were in unionized jobs.¹³ Furthermore, apprenticeships, which policymakers cite as a crucial tool for preparing the American workforce,¹⁴ are often best run when run by trade unions and staffed by experienced workers.

With their long-standing expertise in the workplace and workforce development, and a well-defined infrastructure of local, regional, and national networks, labor unions are perfectly positioned to take small-scale local efforts to connect the formerly incarcerated to high-quality unionized jobs and replicate them nationally. And with nearly one out of every three Americans having some type of arrest or conviction record, millions of current union members understand all too well the hurdles their loved ones face when trying to reenter our communities. With their established relationships with some of the largest employers in the country, labor unions could serve as critical intermediaries for community advocates seeking to aid the formerly incarcerated to rejoin our communities and the companies that operate in those same neighborhoods and cities, as some in the building and construction trades have done. The organized labor movement can and should be an integral partner in creating pathways home for the men and women leaving our nation’s jails and prisons.

Education and Training Inside Can Prepare People for Good Jobs on the Outside

A 2013 report by the Rand Corporation for the U.S. Department of Justice found that people who participated in either educational or vocational programs while incarcerated had a 13 percent greater chance of finding employment on release than their counterparts who did not participate, but vocational training was especially valuable, resulting in a 28 percent better chance of post-release employment.¹⁵

Indeed, several notable prison programs operated with the support of union partners have proven especially successful at preparing people for good jobs and careers once they are

released. **The Trade Related Apprenticeship Coaching (TRAC)** program at the Washington Corrections Facility for Women is an innovative partnership between three construction trades unions—the Ironworkers, the Carpenters, and the Laborers—and prison officials to ensure that women incarcerated there leave with skills that set them up for further training in well-paying jobs in growing professions. An innovative program developed within the **Carpenters Local 1503** to train women under incarceration in Oregon was defunded, but leaders are working to restore the program with alternate supports.¹⁶ Similar programs are in place in California and other Washington facilities, and efforts are underway to establish union-led training in Oregon as well.¹⁷

These in-prison training programs may be funded by braiding a variety of state and federal grants provided by multiple agencies. Federal grant sources include the following:

- In 2010, the federal government began funding the Second Chance Act Technology Career Training Grant Program, designed to help state and local governments train people incarcerated in prisons, jails, or juvenile detention facilities for technology-based jobs. Participants receive training for 6 to 36 months before release, and are given an individualized reentry plan to ease their transition.¹⁸
- In 2014, the U.S. Department of Labor’s Employment and Training Administration and Division of Youth Services announced new competitive “Face Forward” grants for pilot projects giving court-involved youth access to training and credentialing programs. These grants support programs that combine in-demand occupational and employment skills with family supports, mentoring, and expungement and diversion components.¹⁹
- In February 2015, the U.S. Department of Labor announced \$5 million to provide employment services to inmates in county, municipal, or regional correctional facilities. Special American Job Centers would be established inside the facility, and upon release an inmate would be connected to a community-based American Job Center to provide support and follow-up services.²⁰
- In August 2015, the U.S. Department of Education, recognizing that laws prohibited many incarcerated men and women from accessing Pell Grant funding, created an Experimental Sites Initiative to examine the potential results of greater flexibility in this funding stream by allowing some higher education providers to partner with federal or state penal institutions to provide higher education and vocational training. The training programs must be targeted to high-demand occupations that will not restrict entry for the formerly incarcerated through exclusionary licensing or occupational certifications.²¹
- And the U.S. Department of Labor’s Reentry Employment Opportunities (REO) program funds pilot projects pre- and post-release that provide mentoring, job training, education, and other supportive services to formerly incarcerated populations.²²

Increasingly, prison officials also have relationships with large private sector employees to whom they outsource various services in the prisons. Food service, construction, health care,

and education are all among the services that large corporations provide inside state and federal prisons under million dollar contracts.²³ Prison officials should use those ongoing relationships to open conversations with these employers about committing to proactively recruit the formerly incarcerated for appropriate job openings on the outside.

Unions, Community Advocates, and Employers Can Help the Transition After Release

Complementing the work taking place in prisons, building trades unions, community partners, and employers have also worked together to support structured Labor-Management training and apprenticeship programs to train people coming out of prison in union jobs. A number of these programs use the Building Trades pre-apprenticeship training curriculum, known as the Multi-Craft Core Curriculum (MC3), to prepare the formerly incarcerated for opportunities in registered apprenticeships in the construction industry. Even programs that are operating on a small scale are setting helpful examples for how to train workers returning to communities; they merit further investigation and, perhaps, replication, especially in cities disproportionately affected by high incarceration rates.

- The **Northern California Construction Training (NCCT)** has been working for more than 20 years to place the formerly incarcerated and residents of high-risk communities into skilled trades.²⁴ Since 2013, the program has partnered with the Sacramento County Probation Department to focus especially on the formerly incarcerated, and they have placed more than 50 probationers into skilled trades, including carpentry, plumbing, heavy machinery operation, and drywalling.²⁵ In 2015, 85 percent of the 160 graduates of the NCCT pre-apprenticeship program were placed into construction trade jobs,²⁶ and with long-standing strong relationships to numerous trades unions, many of these were union jobs with career ladders and decent wages. NCCT partners include leaders from local and county education departments, probation departments, and community advocacy programs. At present, the NCCT has roughly 250 students, 15 percent of whom are women, but their adult training programs nevertheless have wait lists indicating that there is greater need in Northern California for this type of program. The NCCT has recently adopted the Building Trades' MC3.
- In Oakland, California, the Building and Construction Trades Council of Alameda County partners with public agencies like CalTRANS, the Federal Housing Administration, the Environmental Protection Agency, and with local community colleges to support reentry programs run by a nonprofit called **Cypress Mandela**.²⁷ After receiving an EPA grant to conduct training in environmentally friendly construction, Cypress Mandela, which employs the Building Trades MC3, has expanded to train participants in new technologies like solar panels and grey water systems.²⁸ Through partnerships with employers and local trades unions, the program seeks to get approximately half of graduates into jobs with unionized contractors.²⁹
- The **Los Angeles/Orange County Building Trades Council** also works with the Flintridge Center, a community-based organization that offers services to local residents in need—including the formerly incarcerated—in Northwest Pasadena and West Altadena, California. In recent years, the

Flintridge Center has partnered with the L.A./Orange County Building Trades to offer the MC3 in order to train previously incarcerated and gang-affiliated community members for careers in the construction trades.

- In Delaware, **Local 55 of the Laborers' International Union of Northern America (LiUNA)** stresses community-centered relationships, and consequently has partnered with the Wilmington Central Baptist Community Development Corporation to create a job training program in which local residents with criminal records receive on-the-job training in apprenticeships building local affordable housing units.³⁰ While in Portland, Oregon, the **Laborers' Local 320** and other building trades unions help place some workers with criminal records into apprenticeships on a local bridge-building project, preparing them to compete for well-paying unionized jobs upon completion.³¹
- Partnerships between labor unions and reentry agencies to provide job preparation outside the building trades are rare, meaning that all too many of the formerly incarcerated—especially women—lack access to this kind of pathway to high-quality jobs. In Chicago, however, two **Amalgamated Transit Union locals, 240 and 308**, partner with community advocacy groups and the Chicago Transit Authority to provide apprenticeships for those with conviction records. Workers are trained for a variety of positions, including bus and rail car servicers and, as of last year, diesel mechanics. As of 2015, 500 people had completed the training program, with 113 hired on as full-time employees and seven moving into managerial positions.³² While this is a promising foray into training the formerly incarcerated in non-construction trades, it is important to note that these apprenticeships are not themselves paid at the minimum wage mandated for CTA workers.

Conclusion and Recommendations

With millions of members in communities throughout the country, American labor unions no doubt already have members struggling with the challenges of reemployment for the formerly incarcerated or for those with arrest or conviction records. These union workers know all too well the magnitude of the barriers that stand between their loved ones, friends, or neighbors and full integration as productive citizens into our communities.

Labor unions representing workers in all industries and occupations should explore opportunities to use their expertise and relationships to provide quality training and access to jobs for this population. And existing successful training programs, like the hospitality workers' training programs conducted by Unite HERE in Boston and Los Angeles³³ or labor-management partnerships like that between Philadelphia hospitals and the District 1199C Training and Upgrading Fund,³⁴ could be adapted to expressly target the formerly incarcerated as part of their outreach and recruitment practices.³⁵

Endnotes

- ¹ Amy Solomon, "In Search of a Job: Criminal Records as Barriers to Employment," National Institute of Justice Journal, Number 270, June 2012, available at: <http://www.nij.gov/journals/270/pages/criminal-records.aspx#noteReference8> (accessed February 24, 2016).
- ² J. Petersilia, *When Prisoners Come Home: Parole and Prisoner Reentry*. Chicago, Ill: University of Chicago Press, 2003; J. Travis, *But They All Come Back: Facing the Challenges of Prisoner Reentry*, Washington, D.C.: Urban Institute Press, 2005.
- ³ Binyamin Appelbaum, "Out of Trouble, but Criminal Records Keep Men Out of Work," New York Times, February 28, 2015.
- ⁴ Community Legal Services of Philadelphia, "Young Women of Color with Criminal Records: A Barrier to Economic Stability for Low-Income Families and Communities," March 2014.
- ⁵ For more on the cost of incarceration on family members on the outside, see "Who Pays? The True Cost of Incarceration on Families," Oakland, CA: Ella Baker Center, Forward Together, Research Action Design, 2015.
- ⁶ Nancy G. La Vigne, Lisa E. Brooks, and Tracey L. Shollenberger, "Women on the Outside: Understanding the Experiences of Female Prisoners Returning to Houston, Texas," Washington, D.C.: Urban Institute, 2009.
- ⁷ Bruce Western, "The Impact of Incarceration on Wage Mobility and Inequality," *American Sociological Review*, vol. 67, no. 4 (August 2002): 526.
- ⁸ A study by the Urban Institute found that those who were earning more than \$11.04 (2016 dollars) two months after release had an 8 percent chance of reincarceration, compared to a 23 percent chance among those who were unemployed. See Urban Institute Justice Policy Center, "Employment after Prison: A Longitudinal Study of Releasees in Three States," Research Brief: October 2008.
- ⁹ Richard Trumka, Convention Speech at the 2014 Missouri AFL-CIO Convention," available at: <http://www.aflcio.org/Press-Room/Speeches/At-the-2014-Missouri-AFL-CIO-Convention>.
- ¹⁰ "Trumka: We Need to Replace Mass Incarceration with Mass Employment," October 10, 2014, available at: <http://www.aflcio.org/Blog/Other-News/Trumka-We-Need-to-Replace-Mass-Incarceration-with-Mass-Employment>
- ¹¹ See Paul D. Moreno, *Black Americans and Organized Labor: A New History* (New Orleans: Louisiana State University Press, 2006).
- ¹² Lawrence Mishel, "Unions, Inequality, and Faltering Middle-Class Wages," Economic Policy Institute, Issue Brief #342, August 29, 2012.
- ¹³ Richard Freeman, Eunice Han, David Madland, and Brendan Duke, "Bargaining for the American Dream: What Unions do for Mobility," Washington, D.C.: Center for American Progress, September 2015.
- ¹⁴ Nelson D. Schwartz, "A New Look at Apprenticeships as a Path to the Middle Class," New York Times, July 13, 2015; "Providing More Americans with Affordable Access to Education and Job Training Opportunities to Help Grow the Middle Class," White House Fact Sheet, September 9, 2015.
- ¹⁵ Lois M. Davis, Robert Bozick, Jennifer L. Steele, Jessica Saunders, and Jeremy N.V. Miles, "Evaluating the effectiveness of Correctional Education: a Meta-Analysis of Programs That Provide Education to Incarcerated Adults," Los Angeles: RAND Corporation, 2013.
- ¹⁶ Rick Arnett, "2015 Women of Vision: Jen Netherwood," DJC Oregon, October 13, 2015;
- ¹⁷ Donald Cohen, "Jobs, Not Prisons: Unions Help Formerly Incarcerated Women Build a New Life," AFL-CIO Now, June 8, 2015; Don McIntosh, "For soon-released inmates, hope of a union construction career," NWLaborPress.org, April 2, 2013; Roger Phelps, "Parolees graduate from prison pre-apprenticeship program," The Folsom Telegraph, November 28, 2007.
- ¹⁸ <https://www.bja.gov/Funding/SCAtechcareers16.pdf>
- ¹⁹ US Department of Labor, Employment and Training Administration, "Notice of Availability of Funds and Funding Opportunity Announcement for Face Forward-3 Intermediary and Community Grants," available at: <https://www.doleta.gov/grants/pdf/FOA-ETA-15-04.pdf>
- ²⁰ "\$5M in Grants to Provide Employment Services in Correctional Facilities to Assist Inmates Gain Job Skills and Employment Opportunities Prior to Release," United States Department of Labor, News Release Number 15-0187-NAT, dated February 3, 2015.
- ²¹ US Department of Education, "Second Chance Pell Fact Sheet," available online at: <http://www2.ed.gov/about/offices/list/ope/pell-secondchance.pdf>
- ²² https://www.doleta.gov/REO/eta_default.cfm
- ²³ Suzanne M. Kirchhoff, "Economic Impacts of Prison Growth," Congressional Research Service, April 13, 2010, pages 27-29; Kelly Bedard and H.E. Frech III, "Prison Health Care: Is Contracting Out Healthy?" University of California, Santa Barbara, July 2008.
- ²⁴ Interview with the Northern California Construction Academy, conducted January 11, 2016, on file with NELP.
- ²⁵ Marcos Breton, "Training for a life after crime," The Sacramento Bee, October 6, 2015.
- ²⁶ "Construction Program Partnership Prepares Youth for Careers," posted on the NCCT web page, <http://www.ncct.ws/announcements/construction-program-partnership-prepares-youth-for-careers-superintendent-dave-gordon>
- ²⁷ Cypress Mandela, Sponsors and Partners, http://www.cypressmandela.org/about_cypress_mandela/sponsors_and_partners
- ²⁸ Liza Veale, "Green Jobs 2.0: The new green economy," KALW Public Radio, March 30, 2015.
- ²⁹ Lillian Wilson, "Oakland Green Jobs Corps to be a Model for Cities," posted on GreenForAll, undated, http://www.greenforall.org/crosspost_oakland_green_jobs_corps_to_be_a_model_for_cities
- ³⁰ Jenna Pizzi, "Wilmington Residents Offered Construction Job Training," Delaware News Journal, October 9, 2015.
- ³¹ Tony Hernandez, "Sellwood Bridge project provides job training for hundreds of apprentices," The Oregonian, July 2, 2015.
- ³² "CTA: Investing in Chicago, President's 2015 Budget Recommendations," Chicago Transit Board, 2015, http://www.transitchicago.com/assets/1/finance_budget/2015_CTA_Budget_Book.pdf; Lee Edwards, "Chicago Transit Authority Expands Second Chance Program," Weekly Citizen, April 1, 2015.
- ³³ See Katie Johnston, "Hospitality union recruits African-American Workers," Boston Globe, September 11, 2014, and the online materials concerning the Hospitality Training Academy available at: <http://lahta.org/>
- ³⁴ See Peter Chomko, Cheryl Feldman, and Sally Klingel, "Union-Management Training that Works," Perspectives on Work, 2014.
- ³⁵ Though union training funds need to be cognizant of current licensing and certification rules that may preclude people with criminal records from employment in specific occupations. See Michelle Natividad Rodriguez and Beth Avery, "The Consideration of Criminal Records in Occupational Licensing," National Employment Law Project Fact Sheet, December 18, 2015, available at: <http://nelp.org/publication/the-consideration-of-criminal-records-in-occupational-licensing/>

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