July 1, 2022

**BY ELECTRONIC DELIVERY**

Draft Scoping Plan Comments

NYSERDA

17 Columbia Circle

Albany, NY 12203-6399

Re: Draft Climate Action Council Scoping Plan Comments

Dear Climate Action Council,

Climate Jobs NY (CJNY) is a growing coalition of labor unions representing 2.6 million working New Yorkers organizing to combat climate change and income inequality. CJNY is dedicated to building a clean energy economy, creating good union jobs, and supporting more equitable communities and a more resilient New York. We appreciate this opportunity to submit comments on the draft climate action council scoping plan.[[1]](#footnote-1)

We appreciate Governor Hochul, the New York State Energy Research and Development Authority (NYSERDA), the Public Service Commission (PSC), and New York State Departments of Labor, State, Environmental Conservation, etc. for the continuing efforts to develop a clean energy economy in a responsible manner. We support the timely planning and execution of the State’s climate scoping plan with much needed changes to the draft, as we must move swiftly, but responsibly, in meeting our climate goals as outlined in the Climate Leadership and Community Protection Act (CLCPA).

New York’s labor movement is eager to realize this vision while securing thousands of good union jobs that will be necessary to ensure the clean energy economy is a family-sustaining, community-supporting economy that enjoys broad public support.

New Yorkers are witnessing historic investments in renewables and low carbon-emission technologies from government and industry. These investments must be accompanied by strong labor standards across all phases of development to have successful implementation of the CLCPA. This includes creating good union jobs and equitable development for disadvantaged communities. According to the CLCPA, “shaping the ongoing transition in our energy sector to ensure that it creates good union jobs and protects workers and communities that may lose employment in the current transition must be key concerns of our climate policy.”[[2]](#footnote-2) Additionally, the CLCPA recognizes that “setting clear standards for job quality and training standards encourages not only high-quality work but positive economic impacts.”[[3]](#footnote-3)

CJNY submits these comments on the draft scoping plan focusing on: Ensuring a Just Transition; Guaranteeing Labor Standards; Investing in Environmental Justice Communities; and implementing an “All of the Above Approach” to Reaching our Climate Goals.

**Ensuring a Just Transition**

We support the CLCPA’s ambitious goals to decarbonize and address the staggering social and economic inequalities throughout the state. There is a once in a generation opportunity to achieve these goals by creating good union jobs that will help ensure that our residents, businesses, and communities not only survive, but thrive.

CJNY recognizes that while one of the Scoping Plan’s key strategies for achieving net-zero greenhouse gas (GHG) emissions is to maintain a “diverse portfolio of solutions in industry, including efficiency, electrification, and limited and strategic use of low-carbon fuels and carbon capture technologies in certain industrial applications,”[[4]](#footnote-4) building a clean energy economy will entail a wholesale restructuring of some industry sectors and make others virtually obsolete. This will result in significant impacts on workers and local communities, including members of our coalition. We must safeguard the futures of the workers, families, and local economies most impacted by the movement away from fossil fuels and be sure this transition happens justly and smoothly.

To accomplish this vision, we believe the implementation of the Climate Action Plan should

include an additional component – the establishment of a statewide Office of Just Transition and

a Climate Jobs Institute at NYS’s labor school – Cornell University’s ILR School. The Office of

Just Transition, which we recommend being overseen by the Governor, would lead and

coordinate a multi-agency effort to maximize the benefits of this transition on and mitigate the

negative significant impacts experienced by workers and communities reliant on fossil fuel (and

other) industries., as we transition to a clean energy economy. The Climate Jobs Institute would

provide high-quality, accurate and reliable information about how to decarbonize the state’s

economy in a way that effectively addresses climate change, creates high-quality jobs, and

addresses historic inequities by building a large, inclusive clean-energy economy.

The Office of Just Transition would ensure that we do not take a piece-meal approach to addressing issues related to job loss, worker displacement, and job-readiness requirements for employment opportunities in emerging industries. The priorities of this Office would align with and respond to the recommendations in the Scoping Plan by:

* Job protections and reemployment requirements for current workers and those whose jobs are eliminated
* Connecting transitioning workers to training programs, including registered apprenticeships, as well as educational, certification and licensing opportunities, which will help them prepare for new jobs in the new clean-energy economy.
* Providing workers with income and benefits support and wraparound services as they obtain new skills; job placement assistance when they are ready to transition to new careers; and retirement planning and benefits to ensure a dignified post-work life.
* Supporting businesses and communities with technical and economic development support as they transition to creating and providing new products and services, and recruiting, hiring, and training workers.
* Ensuring that renewable energy projects and related industries create high-quality jobs with good wages and benefits and that, where permitted by law, prevailing wage (PW) policies, Project Labor Agreements (PLA), and Labor Peace Agreements (LPAs) are established.
* Promoting and funding registered apprenticeship and pre-apprenticeship training programs, Community Workforce Agreements, and local, targeted hire initiatives to provide pathways to these skilled, middle-class careers for women, people of color, veterans and other workers in environmental justice or other disadvantaged communities.
* Labor Voice - Include representatives of NYS’s labor community on all key climate and energy decision-making bodies. Given the massive socio-economic impacts of the transition to a net-zero economy, labor should have a seat at the table when the State makes energy and climate policy. Unions are one of the single largest organized constituencies in NYS - almost one-third of all households in the State have a union member. Unions can use their industry expertise, insight and collective voice to help the State effectively transition to clean energy.

The Office of Just Transition could be funded by a $125-million allocation from NYSERDA’s $1.5-billion annual budget. This is an investment well worth making in the future of New York’s workforce, businesses, and local economies.

**Guaranteeing Strong Labor Standards**

While CJNY and its coalition partners advocated strongly for new laws in 2021 and 2022 on clean energy PLA, PW, LPA and domestic manufacturing requirements, we believe the scoping plan must recommend the State go further in ensuring strong labor standards which will provide uninterrupted and efficient development of clean energy.

As NYSERDA has emphasized in the Draft ORECRFP22-1, high-road labor standards are in the public interest and union training programs like pre-apprenticeship, apprenticeship, and labor-management, are robust and proven pathways in realizing a highly- skilled and well-trained union workforce throughout NYS. This ideology must not only apply to the construction/installation and operations and maintenance of the offshore wind projects, but also to the subsequent supply chain RFPs, large-scale renewable procurements, and future low and zero carbon emitting technology projects and related investments.

CJNY prioritizes the need for New York to require manufacturing and supply chain components of the clean energy industry to be sourced domestically and in New York as is feasible. The more the State can realize domestic content and supply chain investment locally, the greater the economic benefits will be for all New Yorkers. The PW, PLA, and LPA requirements that are codified for offshore wind and large-scale renewable projects must also apply to construction of any port or manufacturing facility that receives state investment for clean energy technologies.[[5]](#footnote-5) Additionally, PW and LPA requirements included in the Draft ORECRFP22-1 should be extended to apply to all building service workers employed across the industry.

Surely developing a domestic supply chain is an “investment worthy” endeavor and is crucial for New York to realize energy security. We believe that the Climate Action Scoping Plan must include a requirement for developers, suppliers, and subcontractors to report their efforts in sourcing domestically and provide an incentive scoring credit for U.S./NY manufacturing of structural and secondary steel and iron where feasible. CJNY believes this serves the public interest, especially given recent global supply chain constraints, that New York and the United States invest and secure a domestic supply chain in this burgeoning industry.

CJNY believes that we can guarantee the transition to clean energy maximizes the potential for advancing our economy and fighting inequality by:

* Investing in a major offshore wind port, which will create thousands of construction, assembly, and operations & maintenance jobs, and ensuring that the labor standards covering these jobs – for example, labor peace – are strictly enforced.
* Securing in-state, offshore wind supply chain manufacturing, and LPAs requirements to this work.
* Ensuring that all construction contractors and subcontractors participate in state-approved apprenticeship programs associated with the trades that are performing the work; and, where there are not state-approved apprenticeship programs, using labor management training partnerships. The Climate Act recognizes that “setting clear standards for job quality and training standards encourages not only high-quality work but positive economic impacts.”
* Continuing to utilize approved apprenticeship programs to conduct targeted recruitment of women, people of color, veterans, and members of frontline communities for training in construction and related occupations, creating pathways to middle-class careers.
* Investing in energy audits, energy efficiency retrofits, and solar installation work on public sector buildings, including P-12 schools, as well as CUNY and SUNY campuses, with construction work done under PLAs and utilizing participants in registered apprenticeship programs.
* Attaching labor standards to jobs created in the green hydrogen, electric vehicle charging infrastructure, and other emerging clean energy sectors.

As we work to build our clean energy economy, we must ensure that we are intentional about creating good-quality, family-supporting union jobs that benefit workers throughout the state, particularly those in frontline communities.

**Investing in Environmental Justice Communities**

CJNY supports New York’s plan to transition to a clean energy economy, which will help mitigate two grave threats – the climate crisis and the staggering economic and racial inequality that pervades our state and the nation. The CLCPA acknowledges the disproportionate burdens of climate change borne by women, people of color, and low-income individuals. A major objective of the Act is to ensure that the state’s transition to a low-carbon economy results in beneficial outcomes to these New Yorkers and their communities, which traditionally have been underserved, and calls for these communities to receive at least 35% of the total benefits related to spending on clean energy and energy efficiency programs, projects, and investments.[[6]](#footnote-6)

The Scoping plan highlights the role of the Climate Action Council’s Climate Justice Working Group in the “development of climate policies and investment programs designed to deliver meaningful and equitable benefits to Disadvantaged Communities.”[[7]](#footnote-7) CJNY agrees that our new, decarbonized economy must support the creation of skilled, family-sustaining jobs, as well as the services necessary for workers in frontline communities to prepare for and connect to these jobs.

To maximize the number and quality of jobs, and other benefits, accruing to frontline communities, state agencies and authorities should ensure that there are strong labor standards throughout the construction, maintenance, and manufacturing sectors of the clean energy industry. Chiefly, we believe there should be utilization and targeted investments in programs like pre-apprenticeship direct-entry programs that recruit women, people of color, youth, low-income people, and others who traditionally have not had access to construction and related career opportunities.

State agencies should partner with Climate Jobs NY and its building trades labor affiliates to conduct targeted recruitment and establish community hiring goals to attract, train and retain workers from frontline communities.

**An “All of the Above” Approach to Reaching Our Climate Goals**

It will be more difficult to decarbonize certain sectors of our economy than others. This requires the state to utilize an “all of the above” approach of zero-emission technologies to drastically cut emissions in our energy, transportation, and building sectors while ensuring a just transition and diversifying and providing reliability to the system. In all clean energy sectors – offshore wind, solar, storage, EVs, biofuels, green hydrogen, thermal, nuclear, and other emerging technologies – there must be strong labor standards and protections to meet the objectives of the CLCPA.

CJNY supports the State’s decision to enter the federal Regional Clean Hydrogen Hub competition. This program will create thousands of jobs and significant economic opportunity for our state and the region, as New York seeks to become a leader in this important, emerging industry. “Green Hydrogen” is produced through electrolysis – using an electric current to split water into hydrogen and oxygen – and the electricity used in this process is from renewables like offshore wind. CJNY supports the thoughtful and responsible development of green hydrogen as it will likely be the cornerstone in decarbonizing parts of the economy that are difficult to abate due to their need for high-energy density fuel or intense heat. For example, it can be used in aviation, shipping, long-distance trucking, and steel and concrete manufacturing. Green hydrogen can also address the limitations of battery storage technologies since it can be stored for long durations. This will be particularly useful when there is high offshore wind output and low energy load or demand. CJNY recommends that the State accelerate its offshore wind development plans in order to produce the excess renewable power that will be needed to produce green hydrogen.

Beyond complementing intermittent renewable sources, CJNY argues that zero-emission energy resources like nuclear, green hydrogen, and thermal, provide the same types of high-quality jobs that will be lost as the grid transitions away fossil fuel power sources. As we prioritize energy reliability across the system, we must also see these resources as an opportunity to diversify the emerging jobs in a clean energy transition.

Additionally, CJNY believes New York should set a year-by-year target for permitting throughout the clean energy industry and completely staff state agencies like the office of renewable energy siting to ensure consistency and reliability for clean energy development.

**Conclusion**

CJNY is an eager partner in making New York’s transition to a clean-energy economy successful, and we appreciate the State’s attempts to address the climate crisis and growing inequities across New York. We look forward to strengthening our partnerships with government, academia, environmental groups, industry, environmental justice organizations, and other New Yorkers to realize a responsibly developed clean energy economy.

Thank you for your consideration.

Respectfully submitted,



Dave Hancock

Interim Executive Director

Climate Jobs NY

1. CJNY’s members include the Building and Construction Trades Council of Greater New York, the New York City Central Labor Council, AFL-CIO, the New York State AFL-CIO, the Building and Construction Trades Council of Nassau and Suffolk Counties, the Long Island Federation of Labor, Utility Workers Union of America Local 1-2, International Brotherhood of Electrical Workers Local 3, International Brotherhood of Electrical Workers Third District, 32BJ SEIU, the New York State Nurses Association, Laborers International Union Local 79, International Union of Operating Engineers Local 30, AFSCME District Council 37, the Transport Workers Union of America, Transport Workers Union Local 100 and Communications Workers of America District 1. [↑](#footnote-ref-1)
2. CLCPA Section 1(8). [↑](#footnote-ref-2)
3. CLCPA Section 1(8). [↑](#footnote-ref-3)
4. New York State Climate Action Council Draft Scoping Plan, p. 31. [↑](#footnote-ref-4)
5. Construction work associated with these projects are covered by prevailing wages established under Local Law § 220. Maintenance and building service work associated with these projects are generally covered by prevailing wages established under Labor Law § 230. [↑](#footnote-ref-5)
6. Climate Leadership and Community Protection Act, Section 75-0117. [↑](#footnote-ref-6)
7. New York State Climate Action Council Draft Scoping Plan, p. 32. [↑](#footnote-ref-7)