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New York State Climate Action Council Draft Scoping Plan Public Comment

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ALIGN organizes labor and community for a just and sustainable New York. ALIGN is a founding partner and Steering Committee member of NY Renews, a climate justice and jobs coalition of over 300 environmental, justice, faith, labor, and community groups that was instrumental in the passage of the landmark Climate Leadership and Community Protection Act (CLCPA) in 2019, the law for which this Draft Scoping Plan was written. ALIGN is also a founding partner of Climate Works for All, fighting for a just transition toward an equitable green economy in New York City.

New York needs ambitious climate action now more than ever. According to the International Panel on Climate Change, in spite of an increase in policies adopted worldwide targeting climate change mitigation, progress toward full implementation of these policies has been slow; and global greenhouse gas (GHG) emissions are likely to exceed 1.5°C this century.¹ For New York, the risks of unmitigated climate change mean more frequent extreme precipitation events, increased threats of sea-level rise and flood risks to our coastal communities – including New York City – and even threats to our agricultural production.² This is in addition to the health risks associated with climate change, which themselves include increased incidence of heat stroke, infectious diseases transmitted by mosquitoes or ticks, and even death.³

For many New Yorkers, the reality of the climate crisis is already here. Since the beginning of the COVID-19 pandemic, New

¹ Intergovernmental Panel on Climate Change.(October 2021). *Climate Change 2022 Mitigation of Climate Change: Summary for Policymakers*. Retrieved from https://report.ipcc.ch/ar6wg3/pdf/IPCC_AR6_WGIII_SummaryForPolicymakers.pdf

²New York State Department of Environmental Conservation. “Impacts of Climate Change in New York.” Retrieved April 26, 2022 from <https://www.dec.ny.gov/energy/94702.html> .

³ IBID

York's black and brown residents have been hospitalized and died at more than double the rate of their white counterparts.⁴ Many of these same residents live in environmental justice communities and have faced decades of disproportionate environmental burdens, contributing to their increased susceptibility to COVID-19.⁵ Furthermore, approximately 370 New Yorkers die due to extreme heat each year in New York City alone, a figure which will likely rise as the impacts of climate change escalate. And this past year, 16 New Yorkers died during Hurricane Ida, just one of many extreme weather events linked to climate change.⁶

Recognizing the existential threat the climate crisis poses, the climate justice movement and the labor movement in New York have worked side by side to tackle climate change and the structural inequities it exacerbates. It was the strength of these two movements working together that helped secure the passage of CLCPA in 2019. Moreover, these two movements continue to showcase what a truly just transition can look like for New York, advocating for bringing union jobs to New York across renewable energy manufacturing, installation, maintenance, and repair;^{7, 8} providing green education to existing union members to deliver on climate goals;⁹ and developing renewable energy projects run for and by our communities.¹⁰ As the Climate Action Council (CAC) works to incorporate public feedback into the Final Scoping Plan, ALIGN hopes that CAC members follow the lead of our workers and our communities who are already providing the blueprint for a just transition.

CLCPA implementation as outlined in the Final Scoping Plan is a unique opportunity to raise the living standards of everyday New Yorkers not only by providing us with cleaner air, homes, and environments; but also by investing directly in disadvantaged communities while simultaneously creating high-quality green jobs with prevailing

⁴ University at Albany. (2020). *Differential Impacts of COVID-9 in New York State: Understanding and Eliminating Minority Health Disparities in a 21st-Century Pandemic*. (Issue Brief 1; Quantifying the Extent of Disparities between Black, Hispanic and White New Yorkers in the Context of COVID-19). Retrieved from <https://www.albany.edu/communicationsmarketing/covid-19-documents/Racial%20Disparities%20in%20COVID-19%20Bonus%20Briefing%20Paper%5B2%5D.pdf>

⁵ IBID

⁶ The New York Times. (November 12, 2021). "As Ida Deaths Rise, N.Y. Leaders Look Toward Future Storms." Retrieved April 28, 2022 from <https://www.nytimes.com/live/2021/09/03/nyregion/nyc-flooding-ida>

⁷ See IUE-CWA Campaign for good Green Jobs in Schenectady: <https://cwa-union.org/news/iue-cwa-members-launch-campaign-for-good-green-jobs-in-schenectady>

⁸ See the National Offshore Wind Agreement: https://nabtu.org/press_releases/nowa-agreement-orsted/?link_id=3&can_id=31cacee9d921e3254702e00a0cf96983&source=email-union-matters-april-29-2022&email_referrer=email_1533599&email_subject=union-matters-may-6-2022

⁹ See 32BJ SEIU's Green Commercial and Green Residential Training Courses: <https://training.32bjfunds.org/Portals/0/Courses/New%20York.pdf>

¹⁰ See Sunset Park Solar: <https://sunsetparksolar.org/>

wages, benefits, and protections. To achieve these goals, ALIGN urges the CAC to incorporate the following priorities into the Final Scoping Plan.

1. Our landmark climate law must be funded and enforced

In order to achieve the mandates outlined in the CLCPA – including 70% renewable energy by 2030, 100% zero-emission electricity by 2040, and an 85% reduction in greenhouse gas emissions by 2050 – ambitious funding will be needed to match these ambitious but feasible and necessary goals. New York State’s own Energy Research and Development Authority (NYSERDA) estimates that the State must invest a minimum of \$10 billion every year in order to achieve its decarbonization mandates and defray the worst effects of the climate crisis.¹¹ Other research recommends that New York invest as much as \$31 billion annually to meet its climate mandates.¹² Without a dedicated funding mechanism to provide recurrent resources to address the scope and scale of the climate crisis, New York threatens to leave its climate mandates unfunded. Leaving our mandates unfunded only puts our communities and our workers further at risk.

To address this issue, ALIGN supports an equitable economy-wide polluter fee as the best approach to generating the necessary funding in a just manner. A polluter fee will make our biggest polluters – corporations – pay for harming the health of our environment and our communities. Such a fee can be levied upstream to diminish the potential cost increases to consumers. In contrast to alternative, market-based revenue-generating mechanisms which allow market forces to determine the social and economic cost of greenhouse gas emissions, the polluter fee allows the State to set the price of emissions. It also accords the State the ability to use funds to combat any potentially regressive impacts and re-invest revenue in support of climate justice and a just transition for workers.

In addition to revenue generation, the Final Scoping Plan must also include mechanisms to ensure that existing as well as additional mandates put forth by the CAC are legally enforceable. Without the necessary regulatory and enforcement framework, as well as a timeline of benchmarks for impacted industries to hit along the way to achieving emissions reductions, the State risks rendering the law’s climate justice and emissions reduction mandates toothless.

¹¹Just Transition Working Group. (April 5, 2021). *Recommendations and Materials*. New York State.

¹² Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

2. A Just Transition for our communities and our workers

Implementing the CLCPA is not only an opportunity to mitigate the worst impacts of climate change, it is also a historic chance for New York State to redress structural, intersectional inequities while also reprioritizing our workers.

The State's landmark climate law was written with climate justice at the forefront, requiring at least 35% of the benefits from the State's climate action be directed toward disadvantaged communities, with a target of 40%. Directly investing in disadvantaged communities will help to guarantee that frontline communities – those who will experience the impacts of climate change first and worst, disproportionately black, brown, and low-income communities – have access to the resources needed to adapt to a changing climate and mitigate future impacts. Moreover, targeting climate actions and investments can help remediate environmental injustices and the legacy of disinvestment in disadvantaged communities, for instance, by replacing harmful fossil fuel plants disproportionately housed in black and brown communities with renewable energy generation,¹³ or by increasing public transit access in low-income communities. Actions proposed in the Scoping Plan will also help provide cleaner air, healthier housing, and more walkable communities for all New York residents.

Climate investments also stand to bring hundreds of thousands of new jobs to New York. This influx of jobs offers a chance to reimagine a just worker/employer relationship, to establish new climate and clean energy industries in New York, and to reinvigorate existing industries that have long been the backbone of New York's economy. By 2030, New York is expected to see a minimum net increase of 189,000 jobs –¹⁴ and up to 150,000 added jobs per year¹⁵ across key climate-related economic sectors: electricity, fuels, buildings, and transportation. This means that within the next decade, New York should expect its green economy workforce to grow by at least 38%.¹⁶ By 2050, this number jumps to 54% green economy employment growth.¹⁷ Although there will be jobs displacement across fossil fuel industries, the state should expect to see over ten new jobs created for every one job lost.¹⁸ Importantly, each

¹³ Fleischman, Lesley and Franklin, Marcus. (November 2017). *Fumes Across the Fence-Line: The Health Impacts of Air Pollution from Oil & Gas Facilities on African American Communities*. NAACP. Retrieved from https://www.catf.us/wp-content/uploads/2017/11/CATF_Pub_FumesAcrossTheFenceLine.pdf

¹⁴ Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State

¹⁵ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

¹⁶ Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State

¹⁷ IBID

¹⁸ IBID

region of New York stands to gain new green jobs with family-sustaining wages.¹⁹ In fact, statewide, reorienting around a clean, green economy will help grow the number of family-sustaining jobs in affected industries by 6%, simultaneously shrinking the proportion of low-wage jobs in these industries.²⁰

Moreover, research illustrates that the jobs potential of climate investments far outweighs the jobs potential of investments in the fossil fuel industry. For example, for every \$1 million invested in building retrofits, 9.8 direct, indirect and induced jobs are generated.²¹ For every \$1million invested in renewable energy technologies such as wind and solar or investments in public transportation expansion and upgrades, New York can expect to see at least 5.6, 7.3, and 11.2 new jobs respectively.²² Other research demonstrates that job gains could be even higher, for instance, generating 13 jobs for every \$1 million invested in solar, 17 jobs for every \$1 million in building retrofits, and 22 jobs for every \$1 million in mass transit and freight rail.²³ By comparison, investing that same \$1 million in existing fossil fuel industries is only expected to generate 3.4 jobs.²⁴ Investing in a clean energy economy is therefore a strategic economic development decision: not only will it help to avoid tremendous economic losses due to climate change down the line, but it will also help grow our State's workforce and give residents access to high-quality, good paying jobs today.

The growth of green jobs also opens a pathway to reimagine representation and equity within green economy sectors, creating career pathways for women, Black Indigenous People of Color (BIPOC), justice-impacted individuals, unemployed individuals, members of disadvantaged communities, and other individuals from traditionally underrepresented groups. Although the current green economy workforce lacks representation – recent data puts the workforce at between 27.9%-54.5% non-white and 20.4%-35.1% female, depending on the sector – these industries are still markedly more inclusive than the fossil fuel industry.²⁵ As the green economy workforce grows, New York can help target workforce development and job opportunities to underrepresented groups, ideally engendering representation, access, and equity

¹⁹ In the *2021 Jobs Study*, New York State defines sustaining wage as between \$28-\$37/ hour (p. 122).

²⁰ Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State

²¹ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

²² IBID

²³ Cha, J. Mijin and Skinner, Lara. (June 2017). *Reversing Inequality, Combatting Climate Change: A Climate Jobs Program for New York State*. Cornell University.

²⁴ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

²⁵ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

across sectors. Furthermore, jobs creation in clean energy industries promises to expand job access for residents with differing levels of educational attainment. According to the relevant research, clean energy industry investments are expected to generate new jobs at “roughly comparable proportions for workers at all [educational] credential levels.”²⁶ Overall, the prospect of bringing more clean, green jobs to New York means the chance to create an equitable, accessible clean energy workforce that reflects the makeup of our communities.

Finally, the growth of New York’s green workforce can also help to grow the state’s labor movement, strengthening workers’ rights, wages, and benefits while protecting their health and wellbeing. For example, International Brotherhood of Electrical Workers (IBEW) locals in California have utilized the state’s ambitious investments in solar energy to help increase their membership by 40-50% while also making solar jobs a dominant segment of their workforce portfolios.²⁷ At home in New York, the State’s support for large-scale renewable energy generation development equally demonstrates how achieving climate goals can help build the labor movement’s power. For instance, NYSERDA’s most recent 2020 Offshore Wind solicitation awards will help create over 5,200 jobs with prevailing wage negotiated under project labor agreements.²⁸

Although CLCPA implementation has the potential to render both climate justice and a just transition for workers, the State’s climate actions as outlined in the Draft Scoping Plan must be structured in order to maximize these benefits.

Chapter 7. Just Transition of the Draft Scoping Plan, where the bulk of the CAC’s just transition proposals are, includes many key provisions that prioritize justice for our workers and our communities in the transition to a fossil-free economy. Most notably, the Just Transition Principles offer a framework for a transition that is collaborative, community-centered (particularly in reference to disadvantaged communities), that seeks to uplift equity, and that emphasizes the need to create high-quality, family-sustaining jobs for all. Additional highlights of this chapter include:

- The recognition of the need for accessibility in workforce and career trainings, including multi-lingual trainings, online and in-person options, and trainings at

²⁶Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst, p.50.

²⁷ Cha, J. Mijin and Skinner, Lara. (June 2017). *Reversing Inequality, Combatting Climate Change: A Climate Jobs Program for New York State*. Cornell University.

²⁸ NYSERDA. 2020 Offshore Wind Solicitation (Closed). *Offshore Wind*. <https://www.nysERDA.ny.gov/All-Programs/Offshore-Wind/Focus-Areas/Offshore-Wind-Solicitations/2020-Solicitation>

varying times;

- The suggestion to combine green economy workforce development with wraparound services and additional workforce trainings (e.g. Occupational Safety and Health Administration or Environmental Protection Agency trainings);
- The need to fund job recruitment, training, hiring, and retention for Disadvantaged Communities (DAC), Minority and Women Owned Business Enterprises (MWBEs), Service-Disabled Veteran-Owned Businesses (SDVOBS), co-ops, and employee-owned businesses; and
- The need to incentivize stable employment over employment in the gig economy.

However, despite these strengths, there is still much room for improvement for the State to ensure a just transition that uplifts our workers and our communities.

I. Require Strong Labor Standards

With the promise of large-scale public investments to help meet CLCPA goals, the State has an unprecedented opportunity to restructure our economy around the rights of workers and to combat the race to the bottom that has dominated our economic model in recent decades, gutting workers' wages, benefits, and protections.

To take full advantage of this potential inflection point, the Final Scoping Plan needs much stronger language on supporting labor standards. Instead of stating that "labor standards should be further evaluated and enhanced,"²⁹ the Final Scoping Plan must lay out a policy or policies requiring prevailing wage, benefits, project labor agreements (PLAs), benchmarks for local hire, and community benefits agreements on any projects that use State funds or take place on State property in advancement of CLCPA goals. This should include, but is not limited to, public funding allocated for the manufacturing, supply chain, construction, installation, maintenance, and operations of large-scale renewable energy generation, clean transportation, energy storage, and building decarbonization projects including building retrofits, energy efficiency upgrades, and thermal energy networks. Such provisions will help the State fulfill its promise of a green energy economy that delivers high-quality jobs and that puts its disadvantaged communities first.

²⁹ Harris, Doreen; Seggos, Basil. (December 2021). *New York State Climate Action Council Draft Scoping Plan*. New York State.

II. Bringing Green Jobs to NY

While clean energy economy sectors can expect to grow by over one-third in the next eight years, the State can still do more to bring good, green, unionized jobs to New York. In particular, the CAC should increase its focus on job creation in manufacturing and supply chain efforts in the green economy. Manufacturing in particular has long been a cornerstone of New York's economy, accounting for 4.45% of its output.³⁰ Manufacturing jobs are also a source of family-sustaining employment, employing 441,000 workers at an average annual salary of nearly \$79,000.³¹ Growing the State's ability to manufacture and assemble clean energy, clean transportation, and low-carbon components in-state will help establish New York as a leader in modeling what a just transition can and should look like.

To help grow these sectors, the Final Scoping Plan should recommend Buy NY and best value procurement policies. A Buy NY policy would guarantee that a certain percentage of clean energy, clean transportation, and/or low carbon components utilized in State-funded projects are manufactured in New York. Best value procurement is a method of contracting and purchasing that evaluates bids on factors outside of cost, taking into account, for instance, local jobs creation, jobs training for disadvantaged communities, and/or other additional equity and climate goals. Adopting these policies will help leverage the State's purchasing and contracting power to (a) incentivize job creation along the clean energy, clean transportation, and low-carbon manufacturing and supply chains; and (b) prioritize companies and contractors that support just transition principles including local hire, high-road jobs, and job access for traditionally excluded populations.

Additionally, the Final Scoping Plan should outline further policies to encourage clean energy businesses to bring their operations to New York. The CAC should also explore mechanisms to help protect the wages and benefits of manufacturing workers who transition from fossil fuel-dependent manufacturing jobs to those in green economy manufacturing, for instance, workers who transition from manufacturing internal combustion engines to manufacturing batteries for passenger vehicles.

III. Workforce Development

The scale of jobs creation driven by the State's climate goals will require hundreds of thousands of new skilled workers to be trained and deployed across dozens of different

³⁰ National Association of Manufacturers. *2020 New York Manufacturing Facts*. Retrieved from <https://www.nam.org/state-manufacturing-data/2020-new-york-manufacturing-facts/#:~:text=Manufacturer%20in%20New%20York%20account.was%20%2474.58%20billion%20in%202018.>

³¹IBID

sub-sectors of New York’s economy. Per the State’s own research, “expanding the pipeline for the growing workforce will require considerably more people than simply transitioning over those that have lost employment opportunities in displaced sectors.”³² The State should therefore provide direct support including funding for training, continuing education, workforce development, registered apprenticeship, and pre-apprenticeship programs across sectors (e.g. training for public transit, school bus workers, and waste haulers on electric vehicles; training on new manufacturing methods and construction approaches to improve building envelopes for relevant workers; training for fossil fuel industry employees on clean energy technologies). This should include funding to support worker attendance at existing training courses, for example, wage coverage for workers during training hours.

In addition, the Final Scoping Plan should recommend that the State fund wraparound support and stipends for workforce development programs, prioritizing disadvantaged communities, frontline community members, and workers in fossil fuel-dependent industries whose jobs are at risk of being displaced .The State should be sure to leverage its support for workforce development to achieve its equity goals, prioritizing funding for programs that promise to connect members of disadvantaged communities , historically underrepresented groups, and displaced workers to long-term high-quality jobs and careers.

IV. Protecting Our Workers

Despite the net jobs growth that climate action is anticipated to bring to New York, the decommissioning of the State’s fossil fuel infrastructure will also beget job displacement. By 2030, New York is estimated to lose between 5,400-22,000 jobs total in the following sub-sectors: Natural Gas Generation, Natural Gas Distribution, Fossil Fuel, Nuclear, Petroleum Fuels, Conventional Fueling Stations, and Vehicle Maintenance.^{33, 34} Factoring in the predicted retirement rates in fossil fuel industries, actual rates of displacement could be as low as 67 workers per year.³⁵ Nevertheless, cultivating a green energy economy will require a holistic vision of what a “just transition” means for workers. The CAC should therefore include support for all retiring and displaced workers in displaced industries in the Final Scoping Plan.

³² Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State, p.6.

³³ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

³⁴Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State, p.6

³⁵ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

To that end, Chapter 7. Just Transition fails to adequately lay out a plan to directly support displaced workers, instead focusing on (re)training such as continuing education, registered apprenticeship programs, certifications, and licensing in trades. While these are essential pieces to supporting displaced workers through this transition, they are in no way the complete picture of direct support to our displaced workers. The CAC should lay out specific mechanisms for protecting displaced fossil fuel workers during this transition, including the establishment of a Worker and Community Assurance Fund. Such a fund would provide direct support to workers in fossil fuel-dependent industries and to communities who host fossil-fuel infrastructure or are reliant on the fossil fuel industry as the primary source of their economic development, including:

- Pension support and wage replacement for displaced workers matching their current salaries;
- Expanded funding to local governments and school districts for lost tax base;
- Grants to communities that host fossil fuel infrastructure and/or fossil fuel-dependent industries for energy and transition planning; and
- Employer decarbonization support to avoid job losses or wage and benefits cuts.

In addition, the Final Scoping Plan should propose the use of a Workforce Assessment Plan where fossil fuel plants are decommissioned to keep impacted workers informed on job creation and losses, to give impacted workers a dedicated space to contribute to the transition planning process, and to accommodate workers' career and retirement plans into transition planning. This initiative would help the Final Scoping Plan address the Just Transition Working Group's recommendations to give displaced workers "more advanced support where facility closures are known ahead of time" and complement its suggestion "to survey conventional power plant workforce to identify career status, future interestings, timing needs, and other considerations."³⁶

The Final Scoping Plan should also identify policy and programmatic pathways to ensure that the cost of decarbonization is not borne through wage and benefits cuts to workers who transition from existing fossil fuel industries to green economy industries. The CAC should therefore advance policy interventions in the Final Scoping Plan to protect workers' wages in transitioning industries, such as compensation insurance.

³⁶Just Transition Working Group. (April 5, 2021). *Recommendations and Materials*. New York State.

Finally, under Direct Displaced Worker Support, the Final Scoping Plan should recommend dedicating State resources to fostering new technologies in advancement of a fossil-free economy that stand to provide job opportunities utilizing analogous skillsets for displaced fossil fuel workers. The Final Scoping Plan can model this recommendation on the the recent Utility Thermal Energy Network and Jobs Act, which seeks to advance building decarbonization in part by transitioning highly-skilled utility and construction workers in the fossil fuel industry to new workforce opportunities in clean thermal energy networks. Recommendations focused on helping preserve the careers, benefits, and wages of displaced workers will be essential to delivering on a green energy economy that is equitable for all.

V. Expanding the Scope

As outlined above, many different sectors of New York's economy will face growth, shifting workforce composition, and in some cases, displacement. In its current draft form, the Scoping Plan focuses primarily on how to address impacts to workers in fossil fuel generation. While focusing on impacts to fossil fuel workers is imperative, the realities of this shifting workforce must equally be explored outside of workers directly employed in the fossil fuel industry. For instance, according to the State's research, the transportation sector will face net displacement, while the buildings sector is expected to be responsible for over half of all green workforce employment growth.³⁷ To adequately address these complex dynamics, the Final Scoping Plan should expand its focus on just transition beyond the electricity sector and the gas transition, exploring job impacts and opportunities in all other sectors both within Chapter 7. Just Transition and throughout the plan as a whole.

Additionally, Chapter 7. Just Transition should incorporate language around including not only displaced workers and disadvantaged communities in the reshaping of a green economy workforce, but also groups who have been traditionally excluded from the energy workforce, such as women and formerly incarcerated individuals. Lastly, as the Scoping Plan undergoes amendments, the CAC should lay out specific strategies the State will pursue to ensure its just transition principles are met, something the Scoping Plan lacks in its current iteration.

VI. A Just Transition Sector-by-Sector

Outside of Chapter 7. Just Transition, many if not all of the sectors discussed in the Draft Scoping Plan are implicated in a just transition for workers. Below summarizes areas of improvement needed for several of these sectors that ALIGN hopes to see

³⁷ Just Transition Working Group. (December 2021). 2021 Jobs Study. New York State.

incorporated into the Final Scoping Plan.

A. Transportation

Transportation, which accounts for 28% of the State's emissions,³⁸ is expected to face net jobs displacement, losing approximately 200 jobs by 2030.³⁹ However, if done correctly, the State's investments in a zero-emission transportation sector can still demonstrate what an accessible, equitable, green workforce with a high proportion of intersectional representation and prevailing-wage union jobs can look like. This is due in large part to the fact that mass transit is among the most diverse sectors in the green economy,⁴⁰ and is 40% more likely to be unionized than other industries.⁴¹ It is also due to New York's legacy in the transportation sector. Not only is it the largest producer of transit industry equipment, contributing \$3.6 billion in economic impact and employing over 20,000 individuals;⁴² New York is also home to the nation's largest transit agency: The Metropolitan Transportation Authority-New York City Transit.⁴³

First and foremost, the State must ensure that workers who manufacture, operate, and maintain our vehicle fleets – for instance, the technicians, dealers, and drivers associated with school buses, transit buses, and state and local fleets – have access to relevant job retraining, certifications, and workforce development. This will help minimize any displacement and maximize job security for those in the transportation sector as it transitions from fossil fuels toward electrification and/or other zero-emission technologies.

Transitioning to zero-emission vehicles (ZEV) and equipment represents an opportunity to expand the in-state ZEV supply chain and production capacity across passenger, medium-heavy duty, and non-road equipment. In the Final Scoping Plan, the CAC should put forth recommendations for Buy NY provisions and incentives for high-road manufacturers who bring ZEV supply chain jobs to New York. As with other sectors discussed below, in instances where the Scoping Plan proposes public programs and/or State financial support for clean energy economic development – for example, public

³⁸ Hochul, Kathy and Seggos, Basil. (December 30, 2021). 2021 Statewide GHG Emissions Summary Report. New York State Department of Environmental Conservation. Retrieved from https://www.dec.ny.gov/docs/administration_pdf/ghgsumrpt21.pdf.

³⁹ Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State.

⁴⁰ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

⁴¹ Cha, J. Mijin and Skinner, Lara. (June 2017). *Reversing Inequality, Combatting Climate Change: A Climate Jobs Program for New York State*. Cornell University.

⁴² New York State Empire State Development. "Transportation Equipment." Retrieved May 16, 2022 from <https://esd.ny.gov/industries/transportation-equipment>

⁴³ American Public Transportation Association. (May 2021). *2021 Public Transportation Fact Book*. (72nd ed.) Retrieved from: <https://www.apta.com/wp-content/uploads/APTA-2021-Fact-Book.pdf>

fleet transition or public programs to support ZEV deployment including charging infrastructure installation – the CAC should include language in the Final Scoping Plan pertaining to favorable labor standards attached to such spending and programs. These should include prevailing wage, benefits, PLAs, local hire, and, where applicable, community benefits agreements.

In proposing components related to customer convenience and service connectivity, the CAC should formally integrate the following recommendations from the Climate Justice Working Group as components of the strategy in the Final Scoping Plan: (a) offering a credit to transit manufacturers who set aside a proportion of jobs for members of disadvantaged communities; and (b) utilizing the expansion of public transit services to expand family-sustaining union jobs for disadvantaged communities.

B. Buildings

New York's Buildings sector is the number one source of both the State's emissions and its potential green economy jobs growth.^{44, 45} With the Buildings sector expected to add 100,000 jobs to New York by 2030 – over half of the State's total expected jobs growth –⁴⁶ it is imperative that the State outline actions that will promote a just transition for workers in this sector. In fact, New York is already paving the pathway for jobs creation through building decarbonization with ambitious local-level legislation such as New York City's Local Law 97, which promises to bring over 20,000 jobs per year to the city,⁴⁷ as well as the recent Utility Thermal Energy Network and Jobs Act, which promises new career opportunities to existing highly-skilled fossil fuel workers in the clean energy economy.

As the State scales up its public financial incentives in this sector, it should leverage its support of community-scale solutions in clean energy to help guarantee labor standards in clean energy development, as smaller-scale projects may be less likely to provide prevailing wages, benefits, or be covered by PLAs. Relatedly, for public financial incentives awarded to projects that take place in public housing, the State should fund registered apprenticeship, pre-apprenticeship, and other workforce training programs for public housing residents. This will help build a pipeline of talent in DAC and provide residents with long-term, high-quality careers.

⁴⁴ Hochul, Kathy and Seggos, Basil. (December 30, 2021). 2021 Statewide GHG Emissions Summary Report. New York State Department of Environmental Conservation. Retrieved from https://www.dec.ny.gov/docs/administration_pdf/ghgsumrpt21.pdf.

⁴⁵ Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State.

⁴⁶ IBID

⁴⁷Ludder, Sunshine. (April 2019). *Constructing a Greener New York, Building by Building*. ALIGN. Retrieved from https://www.nyclimateworks.org/_files/ugd/f10969_53e457d2f3fd46d588fc226fe6b244b2.pdf

The Final Scoping Plan should also identify additional ways to increase support for district heating and community thermal energy networks. District heating and community thermal are viable, scalable strategies for building decarbonization that can ease the transition for fossil fuel workers given that they may utilize analogous skillsets for, for instance, fossil fuel workers in the pipe trades. Specifically, the Final Scoping Plan should incorporate language that aligns with the Utility Thermal Energy Network and Jobs Act. This should include recommendations to enable investor-owned gas, electric, and gas/electric utilities to engage in a two-year pilot of thermal energy networks and to direct the Public Service Commission to develop a regulatory framework for utility-owned and operated thermal energy networks. It should also incorporate the labor standards therewithin into the Final Scoping Plan, including expanding the labor standards under Subdivision 1 of §224-d of Labor Law to apply to thermal energy networks and requiring contractors on such projects to use apprenticeship agreements.

In supporting innovation in the buildings sector, the State should ensure that relevant unions have access to funding and other resources to develop trainings on any new construction approaches or manufacturing methods to improve building envelopes. As the State develops low-carbon procurement requirements in State-funded construction projects to help reduce their embodied carbon, the Final Scoping Plan should recommend the inclusion of best value procurement considerations to prioritize high-road employers.

Finally, as the State decarbonizes its buildings, the CAC should propose safeguards to protect building service workers and staff wages and benefits, for instance, by attaching wage standards to building decarbonization financial assistance.

C. Electricity

As the State transitions from a majority-fossil fuel electricity supply in 2022 to a zero-emission electricity supply in 2040, the employment composition of the sector will undoubtedly shift. Although the sector will add between 94,000-107,000 new jobs, approximately 12,000 workers in fossil fuel generation plants can expect to see their jobs displaced by 2040.⁴⁸ As the electricity sector undergoes these compositional changes, the CAC must fold just transition principles into the strategies and components proposed in Chapter 13. Electricity. The Final Scoping Plan should propose actions to ensure that new clean energy generation jobs coming to New York have competitive wages, benefits, and avenues for union protection; that displaced fossil fuel workers have direct access to workforce development, education, (re)training, and job opportunities; and that the wages and benefits of displaced fossil fuel workers –

⁴⁸Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State.

including the approximately 35% of workers who may be eligible for retirement by 2030 –⁴⁹ are protected.

To protect displaced workers, section IV. Protecting Our Workers above highlights two necessary interventions currently missing from the Final Scoping Plan: (1) a Worker and Community Assurance Fund allocated in the State budget to adequately support displaced workers in the fossil fuel industry; and (2) a Workforce Assessment Plan to keep impacted workers informed on job creation and losses, give impacted workers the ability to contribute to the transition process, and accommodate workers' career and retirement plans in transition planning. Outside of these two interventions, when evaluating the contribution of nuclear power to the state's energy mix under exploring technology solutions, the Final Scoping Plan should reference the need to consider the jobs impact of decommissioning nuclear plants alongside energy resource goals.

In addition to worker displacement considerations, the Final Scoping Plan should advance strategies to grow the number of high-quality, family-sustaining union jobs in the clean electricity sub-sectors. For instance, the Final Scoping Plan should include language that reflects extending prevailing wage requirements on solar projects from a 5 MW threshold to a 1MW threshold, as was recently proposed by NYSERDA in its Distributed Solar Roadmap.⁵⁰ The Final Scoping should similarly include labor standards as defined in section I. Require Strong Labor Standards above attached to State funding for energy storage deployment. The CAC should also explore strategies to leverage State support for distributed generation and distributed energy resources to create high-quality union jobs, as such union jobs should not be reserved for utility-scale renewable energy generation. Lastly, in tracking renewable energy penetration and identifying new Renewable Energy Zones, the State should track job creation potential alongside the other metrics discussed in the Draft Scoping Plan at present.

D. Waste

According to the most recent New York State GHG Inventory, waste is responsible for 12% of statewide GHG emissions.⁵¹ The primary strategies proposed by the Draft Scoping Plan to reduce waste sector emissions are oriented around waste reduction, reuse, and recycling. However, little attention is paid toward how best to support

⁴⁹ Pollin, Robert; Garrett-Peltier, Heidi; Wicks-Lim, Jeanette. (November 2017). *Clean Energy Investments for New York State: An Economic Framework for Promoting Climate Stabilization and Expanding Good Job Opportunities*. University of Massachusetts-Amherst.

⁵⁰ NYSERDA. "Governor Hochul Announces New Framework to Achieve at Least 10 Gigawatts of Distributed Solar by 2030." *2021 Announcements*.
<https://www.nyserdada.ny.gov/About/Newsroom/2021-Announcements/2021-12-17-Governor-Hochul-Announces-New-Framework>

⁵¹ Hochul, Kathy and Seggos, Basil. (December 30, 2021). 2021 Statewide GHG Emissions Summary Report. New York State Department of Environmental Conservation. Retrieved from https://www.dec.ny.gov/docs/administration_pdf/ghgsumrpt21.pdf.

workers as they adapt to the changing needs of the waste sector. As such, the Final Scoping Plan should increase its focus on the need to support workforce development, training, and trade skills in repair, refurbishment, remanufacturing, recycling, and innovative materials use as well as for workers in the waste sector who will have to learn how to maintain and operate zero-emission waste haulers. Moreover, in discussing support for workforce development and training, the Final Scoping Plan should specify the need to dedicate resources such as funding and additional support for registered apprenticeship and pre-apprenticeship programs in this sector. As the State grows its reuse and recycling sub-sectors, it should ensure that new jobs added in these sub-sectors are high-quality jobs with prevailing wages and benefits. There also may be opportunities to leverage the proposed procurement standards for recyclable products to incentivize the creation of high-road manufacturing and supply chain jobs in New York using best value procurement.

E. Industry

There are several improvements that can be made to Chapter 14. Industry to safeguard climate justice and a just transition. In terms of low-carbon procurement, the CAC should incorporate the Climate Justice Working Group's recommendation to integrate a best value procurement framework that considers bids' climate mitigation efforts, training, local hire, and apprenticeship programs for disadvantaged communities. Regarding workforce development, the CAC should outline how the State intends to provide funding and additional support for workforce training including registered apprenticeship and pre-apprenticeship programs. State-provided workforce development funding should include additional assistance for MWBEs, SDVOBS, and training organizations that target traditionally excluded populations as well as displaced workers. Finally, in considering economic incentives in this sector, the State should target incentives or provide additional incentives to companies that adopt local hiring benchmarks when bringing operations to New York State. These incentives could include tax credits or the ability to participate in ReCharge NY.

F. Land Use and Local Government

In order to meet CLCPA mandates, action will be required across all levels of government, not just at the State level. In identifying State strategies to support local-level action in land use and local government, the CAC should be sure to include components that uplift a just transition. Under Chapter 19. Land Use, efforts to establish a NY Tree or Climate Corps and a conservation and restoration service corps should protect corps members' access to family-sustaining wage, benefits, mentorship, and a post-corps career placement pipeline. In the following chapter, Chapter 20. Local Government, the CAC should consider actions to have the State provide municipalities with model best value procurement policies that favor high-road employers and local

hire. Lastly, the State should provide model language or other alternative mechanisms to promote prevailing wage, benefits, and PLAs where applicable in instances where local governments aggregate clean energy projects.

G. Gas Transition

Much of New York’s successful transition from a fossil fuel economy to a renewable energy economy is dependent on its transition off of gas. The gas transition will also account for the majority of jobs displacement, with up to 3,537 displaced workers by 2030, and as many as 19,985 by 2050.⁵² To adequately address the potentially disruptive impacts of the gas transition in terms of worker wellbeing, the Final Scoping Plan should lay out specific steps the State should take to consider and protect workers throughout this process. This should include the following components:

- Methodologies to meaningfully engage the gas industry workforce throughout the transition process, including worker assessment plans to evaluate where workers are at in terms of retirement and career planning to ease the workforce transition; and
- A detailed explanation of what “protections” for the gas industry workforce should be under an equitable transition plan,⁵³ including protections for workers’ wages, benefits, and pensions.

Finally, the Final Scoping Plan should include strategies for how New York can transition fossil fuel workers to industries that utilize analogous skills, for instance, transitioning pipefitters working on natural gas pipes to district heating and district geothermal industries in New York.

3. Scenario 3: Accelerated Transition away from Combustion is New York’s best path to achieving its climate goals

Scenario 3 recommends ambitious goals to swiftly transition away from combusting fossil fuels and toward electrification, including 1.8 million electrified homes with a quarter of homes having upgraded to efficient shells, 3.4 million zero-emission passenger vehicles, and 3.5 gigawatts of battery storage all by 2030. This scenario has the lowest associated price tag, \$290 billion, and the highest total net benefit, \$120

⁵² Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State.

⁵³ Harris, Doreen; Seggos, Basil. (December 2021). *New York State Climate Action Council Draft Scoping Plan*. New York State. p.268.

billion.⁵⁴ The accelerated transition scenario also results in more net jobs growth in the near-term: 197,772 jobs by 2030 under Scenario 3 versus 189,257 under Scenario 2.⁵⁵ These factors make Scenario 3 New York's best pathway toward achieving climate mitigation, environmental justice, and a just transition for workers.

4. Prioritize Proven Solutions

Finally, New York State must focus its resources on proven solutions to the energy transition: onshore and offshore wind, solar energy, battery storage, district heating, district geothermal energy networks, and investments in energy efficiency, building retrofits, and grid interconnection and upgrades.

Emergent technologies such as green hydrogen – hydrogen that is produced through electrolysis using exclusively renewable energy, the only current methodology of producing hydrogen without emitting greenhouse gasses or other harmful pollutants – while important to our zero-emission future, would require significant renewable energy build-out or the use of significant renewable energy surplus.⁵⁶ As such, this integral technology should be reserved for hard-to-decarbonize sectors. These applications could include: high-heat industrial processes, fuel cell energy storage, transportation (including long-haul trucking and trains, maritime shipping, and aviation), and as a replacement for fossil hydrogen in industrial feedstock.⁵⁷

⁵⁴ Harris, Doreen; Seggos, Basil. (December 2021). *New York State Climate Action Council Draft Scoping Plan*. New York State.

⁵⁵ Just Transition Working Group. (December 2021). *2021 Jobs Study*. New York State.

⁵⁶ Saadat, Sasan and Gersen, Sara. (August 2021). *Reclaiming Hydrogen for a Renewable Future: Distinguishing Oil & Gas Industry Spin from Zero-Emission Solutions*. Retrieved from https://earthjustice.org/sites/default/files/files/hydrogen_earthjustice_2021.pdf

⁵⁷ IBID