

Collective Bargaining to Community Benefits:
Leveraging Organized Labor to Advance an Equitable Clean Energy Transition
By
Sung Eun Sally Oh

B.A. International Studies
American University, 2016

M.A. Economics
Seoul National University, 2022

SUBMITTED TO THE DEPARTMENT OF URBAN STUDIES AND PLANNING
IN PARTIAL FULFILLMENT OF THE REQUIREMENTS FOR THE DEGREE OF
MASTER IN CITY PLANNING
AT THE
MASSACHUSETTS INSTITUTE OF TECHNOLOGY

MAY 2024

©2024 Sung Eun Sally Oh. All Rights Reserved.

The author hereby grants to MIT a nonexclusive, worldwide, irrevocable, royalty-free license to exercise any and all rights under copyright, including to reproduce, preserve, distribute and publicly display copies of the thesis, or release the thesis under an open-access license.

Authored by: Sung Eun Sally Oh
Department of Urban Studies and Planning
May 15, 2024

Certified by: Janelle Knox-Hayes
Professor of Economic Geography and Planning, Thesis Supervisor

Approved by: J. Phillip Thompson
Professor of Political Science and Urban Planning, MCP Committee Chair

Collective Bargaining to Community Benefits:
Leveraging Organized Labor to Advance an Equitable Clean Energy Transition
By
Sung Eun Sally Oh

Submitted to the Department of Urban Studies and Planning
on May 15, 2024 in Partial Fulfillment of the
Requirements for the Degree of Master in City Planning

Abstract

This research aims to bridge the gap in understanding how community benefits in the clean energy transition can expand opportunities for workers and communities of color, particularly within the context of Community Benefits Programs (CBP) with a focus on the role of organized labor. The federal climate legislation such as the Infrastructure Investment and Jobs Act (IIJA) and the Infrastructure Investment and Reform Act (IRA) are expected to propel the growth of the clean energy sector and it is imperative to ensure that the impact on job creation and wealth-building opportunities are equitably distributed to historically disadvantaged communities. This paper aims to analyze the position of organized labor within the federal framework for addressing equity in energy transition and its potential to bolster labor-climate movements. Positioned in the discourse on the political economy of energy transition and organized labor's historical role in advancing or impeding environmental justice and racial equity goals, this research examines traditional tools of labor and new directions posed by the community benefits movement. The research conducts a comparative case study using qualitative data to analyze key stakeholder priorities, labor-community engagement, and enforcement mechanisms of CBAs within the auto manufacturing sector from Los Angeles, CA, and Detroit, MI. Findings suggest that organized labor possesses significant leverage in negotiating community benefits but lacks influence in shaping the overall infrastructure for implementation and enforcement. The paper recommends that federal guidelines of the CBP or other funding conditionalities could help fill this gap for coordination, resource allocation needed to shape the legal, political, and civic infrastructure to guide community benefits negotiations, implementation, and enforcement.

Thesis Supervisor: Janelle Knox-Hayes
Title: Professor of Economic Geography and Planning

Table of Contents

Table of Contents	3
Table of Figures and Tables	4
Abbreviations	5
Ch.1 Introduction	6
Background/Context	6
Research Objective & Structure	12
Ch.2 Literature Review	15
The Political Economy of Energy Transitions.....	15
Situating Organized Labor in Energy Transition.....	18
New Directions: US Climate Legislations & Labor-Community Organizing.....	21
Ch.3 Research Methods	25
Methodology.....	25
Data, Sources, and Analytical Approach.....	26
Ch.4 Case Analysis	28
Detroit: Fiat Chrysler Automotive Project	28
Los Angeles: New Flyer CBA.....	38
Discussion	43
Ch.5 Conclusion	54
Recommendations	54
Limitations & Recommendations for Future Research	59
References	61
Appendices.....	67

Table of Figures and Tables

Figure 1 CBP Implementation Phases	11
Figure 2 Stellantis Plants in Detroit MSA.....	28
Table 1 Employment in Key Energy Technology Sectors	7
Table 2 US Energy Employment Demographics	9
Table 3 IRS Bonus Tax Credit Programs for Clean Energy Projects	10
Table 4 FCA Community Benefits Negotiations Stakeholders	29
Table 5 Community Meetings, Mar-Apr 2019	29
Table 6 Major Themes from Stakeholder Negotiations.....	32
Table 7 FCA Community Benefits Package Summary	37
Table 8 Case Comparison Results.....	46
Appendix 1 List of Interviewee Organizations	67
Appendix 2 Impact Area Map of Detroit FCA Project	68
Appendix 3 CBP Proposals Across Regional Hydrogen Hubs	69

Abbreviations

Term	Definition
ARPA	American Rescue Plan
CBA	Community Benefits Agreement
CBP	Community Benefits Plan
CHIPS	Creating Helpful Incentives to Produce Semiconductors for America Act
DEIA	Diversity, Equity, Inclusion, and Accessibility
DOE	Department of Energy
EGLE	Michigan Department of Environment, Great Lakes, and Energy
EJ	Environmental Justice
EO	Executive Order
IAC	Industrial Assessment Centers
IIJA	Infrastructure Investment and Jobs Act
IRA	Inflation Reduction Act
OCED	Office of Clean Energy Demonstrations
PLA	Project Labor Agreements
R&D	Research & Development
SMART	Specific, Measurable, Achievable, Realistic, and Time-based
SMM	Small and Mid-Sized Manufacturers
WFD	Workforce Development

Ch.1 Introduction

Background/Context

The Biden-era federal climate legislations: Climate industrial policy

Since taking office, President Joe Biden has issued a suite of executive orders (EO) to address racial and climate justice through advancing the energy transition. He issued EO 13985 (2021) Advancing Racial Equity and Support for Underserved Communities through the Federal Government to establish a whole-of-government approach to advancing equity and opportunity and required each agency to submit an Equity Action Plan. EO 14008 (2021) created the government-wide Justice40 (J40) Initiative establishing the goal that 40 percent of the overall benefits of certain federal investments flow to disadvantaged communities¹. Additionally, EO 14091 (2023) and EO 14096 (2023) have been enacted to achieve climate sustainability and equity goals of the administration.

Accompanying these executive orders are three legislations – the Infrastructure Investment and Jobs Act (IIJA), Inflation Reduction Act (IRA), and the Creating Helpful Incentives to Produce Semiconductors for America Act (CHIPS) – that seek to advance the clean energy transition economy in the US. Transition scholars have identified five common policy areas to facilitate a just energy transition, which include workforce and economic diversification programs, energy assistance, expansion of energy technology access, collective action initiatives², and new business development³ (Carley et al 2020). These pillars uphold the Biden Administration's climate legislations, creation of new government bodies and procedures, and regulatory and statutory updates that accelerate progress towards creating good jobs, bolstering worker power, and expanding economic opportunities to historically disadvantaged communities. This set of laws succeeded the American Rescue Plan Act (ARPA), which was signed into law in 2020 and allocated more than \$350 billion to state and local government bodies to support their response to the COVID-19 pandemic. ARPA funding was also used to support a more sustaining, resilient, and equitable economic recovery, and the newer climate legislations are intended to leverage the resources created by ARPA to enhance the impact of clean energy projects, such as leveraging ARPA-funded workforce training for large-scale infrastructure construction in under-resourced communities to equipped for siting IIJA and IRA-funded project facilities.

¹ OMB's Interim Implementation Guidance defines a community as either: (1) Geographic: a group of individuals living in geographic proximity (such as census tract), or (2) Common condition: a geographically dispersed set of individuals (such as migrant workers or Native Americans), where either type of group experiences common conditions.

² Collective action initiatives seek to educate community members, and leverage large groups of people via networks, collective action, and political pressure to shift decision-making power and resources toward marginalized groups who are not often represented in energy and climate decisions. Most collective action programs focus on community education, awareness, and action for energy transition, a "just" economic transition, energy and climate justice, and more equitable climate and energy policy.

³ New business development pertains to building new renewable infrastructure or energy efficiency upgrades, and specifically to extend the access and benefits of renewable and energy efficiency infrastructure to low-income and other marginalized groups. It also includes developing new business model opportunities, especially those that provide energy efficiency services while being profitable. These models typically focus on extending access to technologies, jobs and energy services.

The IIJA allocates an estimated \$23 billion per year to programs supporting the clean energy transition, especially for expanding EV charging stations, electricity transmission infrastructure, and upgrading rail and port infrastructure (IIJA 2021). The IRA allocates about \$43 billion per year on energy transition initiatives, including tax credits and rebates for households to adopt clean energy technology like EV and rooftop solar, as well as funding larger-scale clean energy technology deployment like solar, wind, and battery (IRA 2022). CHIPS allocates about \$13 billion a year to expanding supply and research and development (R&D) in high-tech sectors, especially those producing carbon-free technologies (CHIPS 2022).

These investments are expected to crowd in private investments in the clean energy sector, which would drive not only clean energy technology development and innovation but also growth in energy sector jobs that could provide higher paying opportunities for workers. According to the Department of Energy’s US Energy Employment Report (2023), clean energy jobs⁴ grew by 3.9% from 2021 to 2022, outpacing the growth of the overall US employment, which increased by 3.1% in the same period. The employment growth in the energy sector is especially notable given its stagnancy during the pandemic, when the energy sector underwent a steeper decline in jobs loss than the overall economy. With the economic recovery and catapult from the public and private investments, the energy sector has not only added 596,000 jobs of the total 840,000 lost during the pandemic but has distributed across a wider array of clean energy technology sectors. Key technology sectors expected to foster growth in employment include motor vehicles, energy efficiency, fuels, transmission, distribution, storage (TDS), and electric power generation (Table 1), of which women comprised more than half of all new workers.

Table 1 Employment in Key Energy Technology Sectors

	No. of Jobs	New Jobs (2021-22)	Jobs Growth (- 2020)
Motor vehicles & components	2,600,000	65,000	2.7%
Clean energy vehicles	-	38,200	20.9%
Battery electric vehicles	-	28,400	26.8%
Hybrid electric vehicles	-	9,500	6.6%
Energy efficiency	2,200,000	50,500	2.3%
Fuels	1,000,000	123,400	13.6%
TDS	1,400,000	29,900	2.2%
Electric Power Generation	883,300	25,700	3.0%

Source: DOE USEER (2023)

⁴ National and state-level definitions of clean energy jobs differ, which may confound data collection. Nationally, clean energy jobs include jobs in tech that align with a net-zero future, including those in nuclear and energy efficiency that do not involve fossil fuel burning equipment. Some state definitions may include all energy efficiency jobs even if they partially rely on fossil fuel. See DOE’s USEER for more details.

New employment is recorded across industries as well. Though the biggest growth is recorded for the mining and extraction industry due to continued reliance on mining and extraction of fossil fuels, the construction industry had the second highest employment growth, most of which can be attributed to the growth in the energy efficiency sector. Employment grew in all other primary technology sectors, with 31,697 jobs added in the manufacturing industry, 35,409 in wholesale trade, distribution, and transport, and 33,347 in professional and business services. With the Biden Administration's focus on boosting American manufacturing capacity and growing number of jobs and investment for technology advancement of clean energy, battery, and hybrid motor vehicles, the clean energy auto manufacturing sector presents an opportunity to align priorities for workers and the clean energy transition.

More specifically for clean energy manufacturing, a bulk of the estimated \$3.8 trillion in total spending from the IIJA, CHIPS, and IRA is dedicated to advancing place-based industrial policy. These place-based strategies aim at spurring economic transformation through interventions in specific industries and areas to shift their economy from lower-productivity to higher-productivity activities (Muro et al. 2022). These place-based industrial programs are implemented by various federal agencies – including the Departments of Energy, Commerce, Economic Development Agency – and regional agencies like Appalachian Regional Commission, and aim at multiple goals of expanding domestic manufacturing, creating regional innovation hubs for technology development and jobs, and financing clean energy technology development and deployment. Regulatory updates like the EPA's car emissions standards updates that are expediting the transition to clean energy-based vehicles (Banks 2024; EPA OTAQ 2023; Larsen et al. 2022) accompany these programs to align the supply and demand needed to be met by growing manufacturing capacity.

To further expedite the growth of clean energy manufacturing, various programs are being implemented to enhance manufacturing capacity, firms, and workers. For instance, the DOE's Industrial Assessment Centers (IAC) utilizes funding from IIJA to assist small and mid-sized manufacturers (SMMs) identify opportunities to save costs and increase productivity. An additional \$24 million has been allocated to expand the IAC network to include more union training programs, community colleges, trade schools, and industrial apprenticeship and internship programs with the aim to expand opportunities for training in clean energy jobs that do not require a 4-year college degree (DOEa 2024). In the application process, the agency advises applicants to provide evidence to contextualize their statements about wages or salaries. Though the lack of uniform metrics may complicate defining a common baseline wage level, it encourages a race to the top among applicants to offer a suitable wage without being bound to what could potentially act as the lowest common denominator. Additionally, though union training programs are eligible to receive funding as prime or subcontractors, the agency asserts that projects do not need to support union training exclusively to allow greater participation from non-union training facilities or related firms. However, the agency requires all applicants to prepare IAC participants to be prepared for high-quality jobs as defined by the Good Jobs

Principles⁵, which include having the opportunity to form and join unions (DOEb 2024). Similar conditions apply for other competitive programs at the DOE like the Advanced Technology Vehicles Manufacturing Loan Program. Combined with other programs like the Battery Workforce Initiative, programs funded by the federal climate legislation are designed to create good jobs through place-based clean energy industrial growth.

New opportunities for workers and EJ

Together, these legislations aim to advance good jobs and racial-climate justice. As place-based industrial strategies, the siting of the large-scale IIJA, IRA, CHIPS-funded projects in locations that can benefit historically disadvantaged communities is imperative since the energy sector has had lower percentage of nonwhite workers historically. As shown in Table 2, the percentage of nonwhite workers like Black or African American and Hispanic or Latinx workers in the energy workforce is lower than its equivalent in the national workforce. The composition of women workers, though increasing based on most recent data, in the energy workforce, is drastically low, signaling a need for serious consideration around how new energy jobs can center recruitment, hiring, and advancement of historically excluded workers.

Table 2 US Energy Employment Demographics

	No. of workers	Energy WF Avg.	National WF Avg.
Women	2,065,291	26%	47%
White	5,889,528	75%	77%
Black/African American	721,120	9%	13%
Hispanic/Latinx	1,410,187	18%	19%
Veterans	709,961	9%	5%
Disability	180,538	2%	4%
Systems-impacted	96,950	1%	2%
Union Representation	849,959	11%	7%

Source: DOE US Energy Employment Report (2023)

Two main ways that the federal legislations are addressing labor standards and equitable opportunities for clean energy jobs are through 1) additional tax credits that meet higher labor

⁵ The Department of Labor provides a framework with eight principles to define good jobs. These eight principles include recruitment and hiring, benefits, DEIA, empowerment and representation, job security and working conditions, organizational culture, pay, and skills and advancement. As such, good jobs are defined by wages and benefits but by what constitutes the overall quality of jobs that affect individuals/ quality of life. Details about the US government’s approach to good jobs can be found through the DOL’s Good Jobs Initiative. Other frameworks for good jobs prioritize economic stability, economic mobility, and equity, respect, and voice. See the MIT Institute for Work and Employment Research (IWER) and the Good Jobs Institute for other definitions of good jobs.

standards, such as paying prevailing wages and utilizing registered apprenticeship programs (IRS 2023) and 2) certain Justice40-covered programs that require funding recipients to address equity, environmental justice, and good jobs. For the former, the IIJA requires all funded projects to comply to the prevailing wages standards under the Davis-Bacon Act, which requires contractors and subcontractors to pay laborers and mechanics employed on federal construction contracts no less than the locally prevailing wages and fringe benefits for corresponding work on similar projects in the area (DOL 2024). Additionally, EO 14063 (2022) requires large federal construction projects for which the cost of the federal contract is valued \$35 million or more to use project labor agreements (PLA), a pre-hire collective bargaining agreement with one or more labor organizations for specific construction projects. Since large construction projects are anticipated by IJA-related opportunities, compliance to EO 14063 will likely spur the growth of good job standards for the building and construction trades workers. IRA-funded projects extend these job standards by requiring prevailing wage standards and apprenticeships for most grant-funded Direct Pay, loan programs and offering bonus tax credit (Table 3) for meeting these labor standards. (UC Berkeley Labor Center 2022). Combined with existing apprenticeship requirements in some states, the apprenticeship component is designed to enhance domestic workforce development (WFD), pipelines, and advancement in emerging clean energy industries.

Table 3 IRS Bonus Tax Credit Programs for Clean Energy Projects

Tax Incentives	Description
45 Production Tax Credit (PTC)	\$5.50/megawatt-hour + additional credit of \$22.00/megawatt-hour if labor standards are met for specific renewable technologies; Available for projects beginning construction before 2025; Amended to provide a domestic content bonus credit amount to certain qualified facilities or energy projects placed in service after December 31, 2022
45Y Clean Electricity PTC	Similar value as 45 PTC credit, for zero- or negative-emitting technologies; Phases out when power sector emissions reach 25% of 2022 levels; Available for projects placed in service in 2025 and later
48 Investment Tax Credit (ITC)	6% credit + additional credit of 24% if labor standards are met for specific energy and storage technologies; Available for projects beginning construction before 2025; Amended to provide a domestic content bonus credit amount to certain qualified facilities or energy projects placed in service after December 31, 2022
48E Clean Electricity ITC	6% credit + additional 24% if labor standards are met for zero- or negative-emitting technologies and energy storage technologies; Phases out when power sector emissions reach 25% of 2022 levels; Available for projects placed in service in 2025 and later.

Source: IRS Notice 2023-38 (2023); DOE Inflation Reduction Act Tax Credit Opportunities for Hydropower and Marine Energy

Designed to direct these place-based strategies to communities that can benefit the most, the J40 initiative stands at the center of these legislations’ equity goals. J40 establishes the goal that 40 percent of the overall benefits of certain federal investments flow to disadvantaged communities. About 518 programs across sixteen federal agencies are covered by J40 (Walls et al. 2024), and each agency and program may have varying approaches, strategies, and

guidelines for implementing J40. This flexibility is the result of the White House’s hands-off approach to implementing the J40 initiative – other than developing the Climate and Economic Justice Screening Tool and mandating that agencies begin using it by 2024, the White House has left individual agencies to interpret and implement the initiative on their own. The loose definition of benefits – broadly implying environmental, economic, and health improvements despite recommendations that they should be measured as direct financial investments (EJNCP 2021; WHEJAC 2022; GAO 2024) – cause further variance on what and how to track the progress of J40 goals among agencies.

While each federal agency is taking various actions to implement the J40 initiative, the DOE, which implements the highest number of J40-covered programs (GAO 2024) – has taken a proactive and comprehensive approach centered on the Community Benefits Plans (CBP). CBP are non-binding agreements that are developed by the funding or financing program applicant, and are designed to be formed by the developer and key stakeholders like labor and community organizations. The DOE is utilizing CBP as the primary implementation tool to achieve J40, diversity, equity, inclusion, and accessibility (DEIA), Good Jobs, and workforce-community agreements. In detail, CBPs must include at least one Specific, Measurable, Achievable, Realistic, and Time-based (SMART) milestone per budget period, which would act as the performance metric for progress on proposed actions. Further, the quality of the CBP is valued at 20 percent of the overall score in the technical review of the project proposal, and if the project is selected, the CBP will be incorporated into the award agreement to ensure that the award recipient complies to implementing the CBP actions per the agreement requirement. The progress of CBP implementation will be monitored and evaluated throughout the project life cycle as part of the Go/No-Go review process, which is held periodically before federal agencies disburse awards incrementally (Figure 1).

Figure 1 CBP Implementation Phases



Source: DOE Office of Clean Energy Demonstrations CBP Overview Factsheet (2023)

The DOE requires CBPs to have four sections: 1) community, labor, and stakeholder engagement, 2) DEIA, 3) J40 Initiative, and 4) Investing in the American Workforce: Quality

Jobs (DOE 2024). One way that CBPs can bind the applicants to meaningfully engage with affected workforce and community stakeholders is through forming community benefits agreements (CBA), which could include project labor agreements, community workforce agreements, and collective bargaining agreements. Though CBA are not required in CBP, they could be an outcome of the CBP and could affect how the project impact is evaluated throughout the project lifecycle. According to the DOE Office of Clean Energy Demonstrations (OCED), a strong CBP would move visions to actionable outcomes by allocating adequate money, people, and time resources, include accountability and transparency mechanisms, and propose metrics for success in addition to addressing all four criteria of CBPs (OCED 2023; OCED 2022). If implemented properly, CBP can significantly contribute to mitigating project harms, enhancing project benefits, and providing the means to advance equity in the new clean energy economy.

To successfully implement the CBP, better understanding of the greater community benefits framework, CBA – enforceable and legally-binding agreements that set precedent to the CBP model – and other community benefits models is needed. Groups like the BlueGreen Alliance, an organization representing both labor union and environmental group interests, have created resources for meaningfully engaging labor and community for potential applicants (BGA 2023), but gaps in its applicability, implementation, and enforcement remain. For instance, CBAs have been applied to large, urban development projects involving the construction of sports and entertainment facilities. Though CBA and CBP are distinct, assessing the applicability of CBA in the manufacturing sector could better inform the CBP process. Further, various climate investment trackers evidence the flow of these projects to rural and southern congressional districts (Smith 2023), where progress for labor organizations and clean energy transition have stifled due to various legal and political barriers to civic engagement, especially against communities of color. Additionally, negotiating CBP is a new frontier for potential applicants, whether they represent manufacturers or community organizations, and a meaningful way to engage stakeholders with more contract negotiation experience, like labor unions, is worth exploring further. Finally, while CBP offers greater flexibility to cover a wider range of topics, it still lacks a strong and clear enforcement mechanism since they are not legally binding and its accountability measures are held by the funder only.

Research Objective & Structure

This research aims to fill this gap in knowledge about community benefits and the clean energy transition to inform CBP processes, which would play a critical role in facilitating an equitable clean energy economy. As the IRA and IIJA are fueling the growth of the clean energy industry, especially in manufacturing, it is important to track its impact on creating good jobs and sharing these opportunities with communities and workers who have been historically excluded from large-scale wealth-building opportunities. Acknowledging that the Department of Energy is facilitating the disbursement of a significant portion of the IRA and IIJA funding with conditionalities for higher job standards and dedication to community benefits, it is important to inform its CBP strategies of the conditions needed to drive successful, equitable outcomes of community benefits. Given that the legal and political frameworks and civic infrastructure need to be reshaped to meet the objectives related to labor, environmental justice, and racial equity, there exists a need to revisit the community benefits framework and the positions of key stakeholders like labor and community organizations. Specifically, this research aims to analyze

the position of organized labor within the federal framework for addressing equity in energy transition and what is required for organized labor to leverage and optimize this opportunity for bolstering the labor-climate movements.

Key questions of the research include:

1. What are the opportunities to expand wealth-building opportunities for communities of color from the federal climate legislation?
2. As a key stakeholder in advancing and achieving these legislations' goals related to racial, environmental justice and worker power, how can organized labor fit into these opportunities?
3. What can be learned from past examples of community benefits negotiations to inform implementing the DOE's CBP process and the role that organized labor can contribute to shaping the legal, political, and civic infrastructure for this process?

This research will be positioned in the discourse around energy justice, industrial policy and equitable distribution of wealth-building opportunities, and the role of organized labor in the community benefits movement. In detail, this research will focus on the decision-making processes governing the benefits provided by the energy transition and less on energy generation and distribution or energy security that pertains to energy accessibility and affordability. Further, this research will grant greater focus on linking the ties between industrial policy, labor, racial and climate justice related to clean energy policy implementation than on the broader impact of energy insecurity. By focusing on the decision-making processes and linking the ties between industrial policies, labor, and just transition, this research will explore the role of organized labor pertaining to clean energy manufacturing and in the context of labor-community organizing within the community benefits framework given priorities presented by the federal climate legislation.

This section will be followed by a review of literature on these issues. It will connect the scholarships on the political economy of energy transition shaping climate industrial policies, the urgency for just transition, and power dynamics among stakeholders in the pursuit of just transition. Then, literature on the role of organized labor advancing or detracting environmental justice, worker power, and racial equity goals will be reviewed. It highlights the need for organized labor to redress its past exclusionary practices that marginalized Black and Brown, immigrant, and other nonwhite workers, and the need to find new strategies to exert its power and resources to advance a just clean energy transition. As an extension of organized labor's power leverages, the literature review also scans studies on CBAs that were used in past large-scale developments, which help identify patterns of stakeholder dynamics and outcomes for firms, workers, and communities. The literature review directs the research to further explore the gap in connecting the community benefits framework to federal legislations, community benefits in the clean energy manufacturing sector, and an in-depth analysis of the role of labor in community benefits negotiations to inform future CBP processes.

With the direction presented by the literature review, this paper detail the research methods to 1) assess the effectiveness of CBA or community benefits programs for engaging and distributing benefits to historically excluded groups, 2) analyze how community benefits in manufacturing

compare to its use in other sectors where CBA have been used more prevalently historically, and 3) assess the role of organized labor and the legal, political, civic infrastructure needed for community benefits enforcement and accountability. The research uses a comparative case study of how community benefits have been negotiated between auto manufacturers, labor-community organizations, and local governments in Los Angeles, CA, and Detroit, MI. The two cases share similar manufacturing history shaping economic growth, sharp decline of auto manufacturing, strong union presence, and the inclusion of racialized and displaced workers. However, their divergence in how the auto manufacturing decline affected communities of color, state-local industrial policy and political misalignment, and the governing infrastructure of community benefits shed light on conditions needed for a just transition. To assess the effectiveness of these cases, various CBA and community benefits program documents were analyzed, in addition to meeting memos, press releases, and compliance reports. To contextualize these documents, interviews with experts on community benefits, organized labor, and high-road clean energy jobs were conducted.

The qualitative data analysis confirms that organized labor can play a significant role in effectively negotiating community benefits given its greater experience in negotiation with managers and firms. While its role in negotiating, providing workforce development and building job pipelines effectively shape negotiation terms, its role in influencing the overall infrastructure for community benefits implementation and enforcement has been lacking. Given its resources – political leverage and financial resources – could be effective in supporting the buildup of the civic structure needed to safeguard community benefits, a critical question on which institution holds the power and capacity to coordinate community benefits process and outcomes arise. This question points to a need to further explore institutional dynamics that shape the community benefits process, calling for a need for greater coordination among federal-local levels and intra-local ecosystems aligning various legal and bureaucratic processes governing labor-community-firm relations and engagement. This paper will conclude with a set of recommendations for labor organizations and federal and local government bodies governing community benefits processes as well as keeping firms accountable. Rather than outlining the elements needed in community benefits agreements or plans, the recommendations center on conditions needed for improving community benefits negotiations, implementation, and enforcement. The limitations of this research and direction for future research will be added to conclude this paper.

Ch.2 Literature Review

The Political Economy of Energy Transitions

Energy transition refers to the transition from one dominant energy resource or set of resources to another. Historical examples include transition from whale oil to kerosene, from wood to coal, and from fossil fuel to lower-carbon resources like solar and wind in the present day (Carley and Konisky 2020). This transition does not require a complete transition from one resource to another but rather one resource growing in share of the energy mix (Fouquet 2016). Energy scholarship has evolved from focusing on the pace of transition in this energy mix (Fouquet 2016, Sovacool 2016, Smil 2016) to forecasting different transition pathways and their impact at industry to household levels. Through this evolution, questions of who benefits at whose costs have been continually raised, highlighting the importance of addressing distributional equity in energy transition literature.

Climate Change in a Capitalist System

To better understand the political economy of energy transitions, it is paramount to contextualize the contemporary transition to clean energy with the history of capitalism, industrialization, and neoliberalism that were built and expanded by the fossil-fuel economy.

Industrialization and fossil-fuel extraction became inseparable in the national identity of many countries, forming the source of the nation's pride, security, and promise of wealth and prosperity through affordable energy and job creation. In the US, the era of accelerating industrialization was accompanied by the discovery of fossil fuel in the West, expansion of the rail, state-led economic stimulation through the New Deal, military industrialization, and large-scale extraction of energy sources (Melosi 1987). As such, the fossil-fuel economy became tightly woven into the fabric of national infrastructure, institutions, and power structures that complicated the progress to transition away from it. In countries and regions that largely benefitted from fossil-fuel extraction, industrial, and mining activities, the transition to renewable and clean energy has had acute effects on worker identities and social cohesion, inducing actions to preserve former industrial and mining sites, sometimes even delaying clean energy projects. Such employment-based identity in the fossil-fuel industries has reinforced the juxtaposition of labor against the environment, which frequently gets amplified in the political discourse of energy transitions in the US (Carley and Konisky 2020).

The interconnectedness of US industrialization, military expansion, and suburban growth had critical ramifications on shaping the US social fabric. The post-World War II era witnessed a symbiotic expansion of military industrialization and the expansion of highways, facilitating suburban growth and triggering phenomena such as white flight and segregation. This spatial segregation was not merely incidental but deeply ingrained in policies and practices governing housing and land use, perpetuating racial and socioeconomic disparities. For instance, white suburban residents from regions like Orange County, CA, played a pivotal role in shaping new political and social ideologies. Their fusion of Christian fundamentalism, xenophobic nationalism, and western libertarianism laid the groundwork for the emergence of the new conservatism, which actively sought to suppress civil rights and stifle labor progressivism.

The economic and social consequences of labor disruptions from energy transitions extend beyond individual job losses. Gleaning from the coal industry, the closure of coal operations led surrounding communities to experience significant losses in other retail and commercial employment since coal workers are the primary consumers of local services and commodities in those regions. Coal mining regions, especially, are isolated in remote locations with a high percentage of people without college education and greater income volatility (Haggerty et al. 2018). Such decline in employment and businesses are further disentangled with the weakening of the local tax revenue base, igniting a vicious cycle of disinvestment that suppresses employment, entrepreneurship, and social-civic infrastructure. The boom-and-bust nature of coal mining and the mono-industrial composition of these regions accentuate the social, political, and economic challenges that must be addressed in planning the energy transition.

Similarly, forces are at play for the manufacturing sector which is one of the core industries targeted by the clean energy transition. Historically, manufacturing played a key role in industrial growth while paving a pathway for middle class workers by creating higher paying union jobs. However, manufacturing processes have increasingly globalized, facilitated by technological advancements and trade liberalization. As a result, traditional manufacturing jobs have been displaced in high-wage regions and manufacturing wage premiums have fallen significantly, contributing to the declining attraction of manufacturing jobs (Aeppli and Wilmers 2022). This shift has reshaped the landscape of clean energy manufacturing, as cost considerations often prioritize outsourcing to low-cost labor markets. Consequently, despite the growing demand for clean energy technologies, the potential for domestic manufacturing in high-wage economies is compromised, constraining efforts to foster local innovation and supply chain resilience in the clean energy sector. Additionally, for manufacturing specifically, the necessity for scale, where scale can deliver a broader positive impact for local-regional growth, especially in growing workforce development and job opportunities, it also necessitates rigid control over workers and natural resources within the existing extractive, capitalist structure. This confluence underscores the complex dynamics at play, necessitating nuanced policy responses to mitigate the adverse effects of globalization and neoliberalism on clean energy manufacturing and related jobs (Bartik 2020) as the new pathway to wealth redistribution.

Just Transition

Such need for a careful and nuanced approach to clean energy transition has called for a *just transition*. The notion of just transition arose from the labor movement of the late 1990s and stands at the intersection of energy transition and energy justice literature (Hampton 2018). Just transition establishes the importance of equity and justice in the planning, implementation, and assessment of social, economic, political, and environmental system change that shapes the energy transition. The goal of just transition ought to be, then, for government, private, and community stakeholders to seek redistributing the welfare gained from energy transition with special consideration for avoiding additional burden on specific populations, especially those who have been historically marginalized and harmed.

Rather than only considering the foreseeable impact of clean energy transition, designing these policies open opportunities to redress past harms from environmentally racist practices by fossil fuel-based industries. In fact, many communities at the frontline of these transitions are low-

income communities and communities of color that have been confronting the legacy of racist and exclusionary policies that exposed and exacerbated their vulnerability to the energy transition. As such, framing the clean energy transition as an opportunity for a just transition opens the possibility to redress past harms from nation-building industrial policies that fomented the fossil fuel political economy and to redistribute the wealth and benefits of transitioning energy economies.

Of the four tenets of justice – distributional, procedural, recognition, and restorative – as described by justice literature, distributional justice focuses on the distribution of benefits and burdens with the objective of ensuring that they are not shared disparately across different populations and geographies. The need to consider equitable distribution in climate and energy policies have been embedded in international climate agreements through concepts like common but differentiated responsibilities and intergenerational equity. The Green New Deal specifically centers equity and social justice within climate change mitigation goals, emphasizing workforce development and economic opportunities for communities that may be negatively affected by the transition away from fossil fuel-based energy.

More broadly, existing environmental laws on clean air, water, and soil are not effective in addressing or redressing disproportionate harms to communities of color since there are no statues for protecting people from the type of discrimination affecting polluting facility siting decisions. As such, centering the multiple facets of clean energy transition – from innovating new technology for renewable energy sources to redesigning new economic sectors and opportunities to protecting people and nature from further harms – on the principles of energy and environmental justice is imperative. In practice, this shift would require enabling access to affordable, safe, and sustainable energy and having opportunities to participate in decision-making processes that govern energy generation and distribution (Bazilian, Nakhooda, & Van de Graaf 2014; Carley and Konisky 2020).

Transition Economy and Power

To actualize centering energy transition on energy justice, questions on not only who gets what, when, and how but also at whose expense must be asked. Further scrutinizing the power dynamics of the transitional economy allows energy transitions to become a means for restructuring and redistribution. In energy transition scholarship, power is leveraged as power *over*, in forms of blockage and gridlock, or power *with* or power *to*, in forms of cooperation and empowerment. Further, power is conceptualized in three types: 1) innovative power with the capacity to invent and create new resources at the niche level, 2) reinforcing power with the capacity to reproduce existing institutions and structures at the regime level, and 3) transformative power with the capacity to invent and develop new institutions and structures at the regime level, often operating as niche regimes. Additionally, coalition countervailing power has the capacity to influence outcomes by leveraging shared interests, such as overcoming blockages to bring about transformational change.

Within this power framework, institutional power that holds major stakes in transition economies have been further studied. Power of organized labor can be situated in this mix of power concepts, leveraging its power resources to become agents to reinforce or transform the

energy transition of the economy. However, though the politics of energy transitions and energy employment have been thoroughly studied, the role of organized labor as an institutional actor in the energy transition is less studied. Prinz and Pegels (2018) attempts to fill this gap analyzing the role of labor in Germany's electricity transition and finds that it pertains to 1) tipping the scale of transition politics towards continuity — business as usual status quo — or change, 2) unions' political access and internal homogeneity of interests as power resources, 3) shift in unions' positions over time, 4) paths for unions to gain power resources by either organizing small but homogenous organizations or prevailing in power struggles of larger but heterogenous organizations. Since internal heterogeneity within the institution of organized labor may hinder its position on being an advocate for continuity or change, internal power dynamics, power struggle must be considered to identify and effectively leverage the power resources of labor in clean energy transition. The following section expands further on this node of power held by organized labor.

Situating Organized Labor in Energy Transition

Unionization History and Present

As informed by the power resources theory, collective organization and action is key for workers to unify their voice in demanding firms to implement the changes required to create an enabling environment for workers' well-being and productivity (Galbraith 1956). Since industrialization began in the late 1800s, workers mobilized to call for fair working standards especially before regulations of extractive business practices were formally established. Workers' collective action were bolstered in the early New Deal era of the 1930s, when the 1933 National Industrial Recovery Act provided for collective bargaining and the 1935 National Labor Relations Act required businesses to bargain in good faith with any union supported by the majority of their employees. From Freeman and Medoff's (1984) study of the effects of unions to Alquist's (2017) revisitation of the question, "what do unions do?", literature on labor has demonstrated that labor unions help compress distribution of wages and income, thereby reducing economic disparities. Unions achieve this through collective bargaining, which can induce better management and high productivity, provide wage premium, help improve development and retention of skills, and facilitate information-sharing across management and shop floors. Further, unions typically mobilize workers in lower income distribution and less politically included, so they also have a positive impact on civic engagement.

However, by the 1970s, union membership in the US declined significantly and has been undermining the strength of its political influence. Management adopted tactics that shattered organizing drives, leading unions to disrupt labor peace that existed through much of the 1900s. Such management practices were fueled by the reshaping of the legal apparatus governing management-union relations towards deregulation of the private sector (Box 1). Further, public perception of unions has reduced them as monopolistic actors in the labor market that raise premiums at the expense of unorganized workers, crowding nonunionized sectors with displaced workers (Simons 1948; Bradley 1959; Friedman and Friedman 1962). The decline of private-sector unionization eliminated pathways to the middle class, especially for immigrants and those without college education. Union representation became heavily concentrated in the public sector by government employees, who are typically better educated and paid than the typical factory shop union members of the past (Rosenfeld 2014).

US Labor Law Basics

The National Labor Relations Act establishes the right to form unions and engage in collective bargaining for private sector workers. However, the NLRA does not protect independent contractors, agricultural and domestic workers – last two of which have been historically predominated by workers of color – unless otherwise covered by state law in some states. For public sector workers like teachers, state and local government employees, and police officers, the right to unionize and collectively bargain are determined by state and local law, which vary widely across states – only 23 of 50 states grant the right to collectively bargain for public sector employees. The legal system further fragments legal coverage for workers; for instance, the Railway Labor Act covers workers in the airline and railroad industries and the Civil Service Reform Act of 1978 covers federal workers.

The NLRA is enforced by the National Labor Relations Board (NLRB). The NLRB investigates, prosecutes, and adjudicates unfair labor practices by employers and unions and oversees elections in which workers vote on union formation. The NLRB consists of five Senate-confirmed members who decide cases and one Senate-confirmed general counsel who investigates and prosecutes labor violation cases.

Union representation has been detrimentally undermined in the US since the 1980s with the passage of laws undermining collective bargaining and worker organizing, compounded by others deregulating corporate activities even when they breached workers' rights. Specific tools that undermine labor unions by limiting potential sources for their financial resources include:

1. Right to work (RTW): States that have enacted right to work laws prohibit unions representing a majority of the bargaining unit from requiring all workers represented to share in the costs of representation, either through joining the union and paying union dues or paying an agency fee to the union. In right to work states, unions are required to represent all workers by negotiating collective bargaining agreements and share the benefit of union representation with workers that do not pay for that representation.
2. Exclusive representation: When a majority of workers in a bargaining unit vote for union representation, the union becomes the *exclusive representative* of all workers in the bargaining unit, whether they a member joins the union or pays union dues. If the union does not fulfill the *duty of fair representation*, it can be held liable in court.
3. Agency fee: Non-union member workers pay agency fee to the union that represents them to help defray the cost of collective bargaining, contract administration, and grievance resolution. Agency fees are negotiated between the union and the employer and are only legal in the private sector, except in RTW states. Due to the *Janus v. AFSCME Council 31* Supreme Court decision (2018), agency fees are illegal in the public sector, indicating that the benefit of union representation can be shared with workers that do not pay for that representation.
4. *Janus v. AFSCME Council 31*: In a 5-4 decision, the US Supreme Court ruled it unconstitutional for employers and unions in the public sector to require all union-represented members to pay their share of representation in forms of union dues or agency fees.

To effectively organize workers who do not have the legal right to collective bargaining (domestic workers, day laborers, workers classified as independent contractors) and without the legal requirements and restrictions for unions like ones listed above, workers can organize in non-union forms like worker centers. Worker centers, also commonly referred to as “alt-labor,” are not-for-profit organizations that serve and advocate for workers on issues like immigration, wages, and housing. Worker centers are often non-membership based and do not negotiate or administer collective bargaining agreements. Worker centers typically serve immigrant workers, African American workers, restaurant workers, and domestic workers. Other legislative actions like banning captive audience meetings, signal growing pushback on barriers suppressing worker voice and union representation.

The exacerbated inequality more acutely affected historically disadvantaged workers, such as black and brown, immigrant, and women workers. By standardizing pay and working conditions, unions can curtail management’s ability to favor particular workers; however, these benefits did not extend to disadvantaged workers who were not granted access to union membership or union jobs. Historically, unions have excluded women and black workers while campaigning for immigrant restrictions. In fact, unions have not only excluded disadvantaged workers but intentionally opposed key movements for racial justice like the Civil Rights Movement. Their opposition was aided by policies like Roosevelt’s New Deal and Truman’s Fair Deal that made monumental contributions to build the nation towards the middle class, but discriminated against Black Americans and contributed to widening the gap between white and Black Americans (Katznelson 2006). Simultaneously, key labor legislations like the National Labor Relations Act excluded professions with high concentrations of black and brown workers, like occupations in agricultural and domestic work.

After World War II, however, unionization rose among black workers, outpacing white workers in union membership, who sought protection from discriminatory practices from nonunion shops. However, as worker organizing became more prevalent among Black workers and communities, the growing paranoia against anti-imperialist, Communist, and cultural radical movements fueled by the Cold War and McCarthyism targeted minority-serving organizations like the Urban League and the NAACP. As such, attacks against Black worker organizing, with targeted attacks on Black labor-community leaders, further endangered black workers and raised the stakes for joint labor and community organizing, especially in the US South (Bioni 2003). Rosenfeld and Keyclamp’s (2012) study of black and white workers’ unionization ratio revealed that the union representation could reduce the racial wage gap and that unionization could lead to higher weekly wage for black male workers, indicating that organized labor can play a vital role in advancing economic inclusion of black workers.

The combination of rapid decline in demand for workers without four-year college degrees and the growing chasm between the highest and lowest income earners has exerted downward pressure on employment, wages, job quality, and opportunities (CAP 2018). Simultaneously, while such downward pressure would compel workers to organize and the public to support organizing efforts, skepticism toward the institution of labor unions have hindered major union organizing from gaining momentum in the past decade. While outright opposition to unionization has declined, uncertainty among workers on the effectiveness of unions in

delivering wage increases and improving working conditions have been surveyed (Alquist, Grumbach, and Kochan 2024). However, more recently in 2023, labor activism through major unions like the United Auto Workers winning collective bargaining agreements with major US auto manufacturers signal the potential for great success and trust in labor organizations. Further, unions collaboration with worker centers and their role in filling the gap that traditional labor unions have missed (Crain and Matheny 2014) – including excluded occupation workers, servicing immigrant workers with different linguistic and cultural barriers, and innovating new organization tactics rooted in black and indigenous organizing principles in geographies typically hostile to labor activism – help regain the trust in organized labor to propel equity in new economic opportunities.

Tools of Labor

Given the resurgence of unionization and growing roles of nonunion forms or organized labor, it is important to revisit the tools that have been used to improve pay, benefits, working conditions, expand job opportunities and career pathways while advocating for social and political changes enabling labor-community organizing. Concurrently, with a keener focus on labor organizations' historic exclusion of disadvantaged workers and the potential to redress these harms through the present opportunities in clean energy industrial growth, new tools of labor also need to be scoped further. Broadly, literature on the role and resources that organized labor can leverage in manager-labor have highlighted organized labor's capacity to train and connect workers and organizing workers, through sociopolitical mobilization or allocation of its financial resources like pension funds, to influence firm behavior or policy choices as its key tools.

Organized labor plays a considerable role in workforce development and advancement by training workers, connecting them to job opportunities, and representing them in their career advancement. However, labor groups exist as a part of a greater ecosystem including different program providers, funders, and types of programs that complicate streamlining workforce strategies across sectors and government levels. Training programs for specific skills, preapprenticeship, and apprenticeship could be provided by employers, community organizations, sectoral associations, labor organizations, joint labor-management interests, all of which may seek different objectives and yield varying results (Katz et al. 2022; Osterman 2022). However, federal registration and certification requirements position some providers – like unions and some community organizations – more advantageous than others, especially when they are connected to government funding or tax abatement opportunities. Also, evidence has demonstrated greater success when workforce development programs are led by local stakeholders and are more bottom-up since these entities are more likely to be aware of the affected populations and workers in building skills and including them in decision-making processes (Graff et al. 2018; ILR CJI 2023).

New Directions: US Climate Legislations & Labor-Community Organizing

The federal climate legislations present new opportunities for organized labor to not only improve careers and support workers transitioning to the clean energy sector but also engage in the broader labor-community coalitions to maximize community benefits of new clean energy projects. Leveraging its experience and expertise in mobilizing workers, collective bargaining,

and negotiating with large firms, organized labor could play a greater role in furthering the existing momentum to bridge management-labor-community relations and reposition itself within the broader context of labor-community organizing, especially within the community benefits framework that is foundational to the DOE's CBP requirement.

Past examples of how labor-community coalitions formed CBA can inform this process. CBAs are legally binding contracts specifying community benefits to be delivered by large project developers. CBAs help redistribute the benefits of new development by allowing coalitions of labor and community organizations to negotiate for concessions in development processes, providing mechanisms for public funds invested in historically disinvested areas to benefit current residents. Historically, CBAs have been used more often in large-scale real estate development projects in urban areas and covered a wide array of issues related to housing, workforce development and hiring, environmental mitigation, neighborhood amenities, and more that relate to various residential, commercial, and industrial activities spurred by the development project given the dense, mixed-use nature of urban built environments. Depending on the primary stakeholder engaged in the negotiation process, CBAs took different forms such as community workforce agreements, project labor agreements, and more (Table 2). Starting with the City of Detroit in 2016, many cities have since begun to mandate developers to negotiate community benefits if their projects are publicly funded or subsidized through community benefits ordinances (CBO) or program requirements.

CBAs are relatively new tools in planning and economic development, and specifications in concessions and the public policies and regulations governing them are evolving. Patterson et al (2016) have studied the typology of CBAs in the context of their application in shrinking cities and found that the type of developers - private, public, or nonprofit – significantly influence how labor-community organizations negotiate and form concessions due to the dissimilar regulatory, tax, and fiscal environments around each sector. Rosado (2020) compared two influential CBAs - the LA Live/ Staples CBA and Brooklyn's Atlantic Yards CBA – to illustrate the negotiation dynamics and outcomes of CBAs characterized by inclusion or by political patronage. Been (2010) canvassed the benefits and drawbacks of CBAs for different stakeholders and reviewed the legal and policy questions that CBAs present. In addition to finding that CBA provisions typically pertain to affordable housing, employment (DEIA/local/DAC hiring, workforce training programs), funding and equity share, environmental protection, community education, local economic development, MWBE contracting, Been's study recommends that local governments avoid the using CBAs in land use approval processes unless the CBAs are negotiated through processes designed to ensure the transparency of the negotiations, the representativeness and accountability of the negotiators, and the legality and enforceability of the CBAs' terms. These recommendations highlight that creating legal and political structures governing CBAs need to be as prioritized as forming CBAs on a project-by-project basis.

Such findings about the CBA process could equip localities receiving federal climate funding, specifically those through the DOE that require CBPs, to better facilitate management-labor-community relations and build the legal and political structures needed for this facilitation. Linking CBA cases to landmark federal urban programs and wealth-building programs, Ho (2008) suggests that CBAs arose due to the exclusion of communities of color from accessing

public resources, financial investments, and other wealth-building opportunities as urban landscapes and power dynamics shifted during times of Urban Renewal and Revitalization initiatives. Ultimately, disinvested communities, often communities of color, resorted to seeking alternative means for accessing capital that were needed to sustain their communities. As such, though CBAs may represent an outcome of community empowerment, its roots in community disenfranchisement and disinvestment need to be corrected through future policy planning. Thus, CBP processes need to prioritize improving approaches to community engagement and ensuring an equitable distribution of capital gains from new clean energy development to avoid repeating the harmful, exclusionary histories of past federal policies.

The rise of EV demands raises concerns for workers as federal policies for zero emission vehicles and EV charging infrastructure is increasingly concentrated in the South, where manufacturers seek to take advantage of low wages, deregulatory environments, and a divided working class. The South has been the locust of worker vulnerability and political division - the rise of the labor movement post-WWII failed to reach the South, where the history of racism and slavery gave rise to anti-union politics. The passage of the Civil Rights Act in 1964 fueled this political polarization in the South, where the political right mobilized voters on the basis of racial resentment and white supremacy, rallying them against a broader set of Republican policies tied to welfare and even seemingly race-neutral ideas like state rights and local control to preserve segregation. The Southern Strategy turned voters against the Democratic party that held a tight grip over the South for decades prior, aligning their political antipathy to tax, labor, and environmental regulations with their cultural antipathy to civil rights, women's rights, and gay rights. (Powell, J. *The New Southern Strategy*.)

The tides are now turning for southern labor movements - the UAW campaign in 2023 to win the Big 3 contract raised wages, eliminated the two-tier labor systems, and eased unionization efforts in the CV supply chain. With this momentum, UAW President Shawn Fain launched an aggressive organizing campaign for nonunion auto plants in the South and the Tesla manufacturing plant in Fremont, CA. The announcement to organize Tesla manufacturing workers alone led CEO Elon Musk to raise wages as a preemptive attempt to avoid deter unionization (Gallegos and Pastor, 2024). Similarly, pressure on manufacturers has intensified in the South, where UAW is simultaneously organizing several auto plants, including Volkswagen in Tennessee, Mercedes-Benz, and Hyundai plants in Alabama, and more (Scheiber 2024; UAW 2024).

This new wave of unionization is often coupled with the fight for environmental justice as EJ movements primarily organize working-class communities that have shared interests in good jobs and protection and reparations from environmental harms of fossil fuel extraction and environmental violations of corporate activities. With this background, labor allies must prioritize organizing Black southern workers who experience the highest rate of poverty and unemployment to redress the historical impact of racism on their solidarity and public health. Similarly, EJ allies must expand beyond the objectives of resisting or remedying environmental harms to securing quality livelihoods for frontline communities, many of which are communities of color, in their campaigns for a zero-emission future.

With union commitments – UAW has committed \$40 million to organizing auto and battery plants through 2026 – and federal funding opportunities through Justice40 initiative staged to aid labor and EJ efforts to bring good jobs and climate investments in frontline communities, strategic coordination between organized labor and EJ movements is needed more than ever (Dayden 2024). Breakthrough unionizing in the auto sector could inflict positive spillover effects on other sectors related to the clean energy investments through improved wages, benefits, and institutional environments for worker organizing.

Literature has confirmed that existing strategies of organized labor have been effective in improving job quality and working conditions. Though the strength of unions' political influence and public trust in union organizing have declined, persisting challenges in income inequality, suppressed worker voice, and uneven regional economic growth have propelled a resurgence of labor organizing. With the emergence of new opportunities to strengthen labor-community coalitions to optimize economic gains from the clean energy transition, community benefits serve as an appropriate platform to explore how organized labor can situate itself in regional and local implementation of energy transition projects. By exploring CBA cases in the manufacturing sector, this research seeks to contribute to the discourse on the political economy of energy transitions and labor-community organizing for advancing equity by tying the thread of community benefits, indigenous and black organizing traditions in hard-to-organize environments and providing a path forward to creating local infrastructure for improved community benefits processes.

Ch.3 Research Methods

Methodology

Comparative Case Study

Given the gap in literature about 1) the role of organized labor in CBA processes, 2) the use of CBAs in large-scale manufacturing projects, and 3) the governance of CBAs under federal, state, and local legislative frameworks, this research analyzes CBA cases that can inform future CBP processes in the growing clean energy manufacturing sector. By tracing the ties of organized labor to the broader labor-community organizing that drove the success of earlier CBA models, this research aims to inform how the federal implementation tools for distributing climate investment benefits can leverage key institutional resources to augment community resources needed to direct those benefits.

Comparative case study allows for an effective use of qualitative methods such as interviews and document analyses to understand the historical context, institutional dynamics, and the political-legal environment across different geographies and events that drive diverging outcomes within real-life contexts. This approach is especially useful in contextualizing the outcomes of policy tools with personal reflections on broader institutional relations and archival accounts that can connect seemingly unrelated events across time and geographies. Using a comparative case study method, this research aims to 1) contextualize the political and economic infrastructure that shape, implement, and enforce CBAs and 2) situate organized labor among the institutional stakeholders engaged in the CBA process, both for which qualitative data serves as strong evidence.

Case Selection

This research compares CBAs from Detroit, MI and Los Angeles, CA that have been negotiated between manufacturers and the local government or a labor-community coalition, respectively. The two cases arise from states that have enacted legislations and goals for clean energy transition, signaling their alignment with the federal climate legislation goals. At a more micro-level, the cases are from cities with a shared history of manufacturing-centered economic growth, sharp decline of the auto manufacturing sector, strong labor activism and union presence, and a significant proportion of workers that are targeted by the J40 initiative, such as workers of color and energy-displaced workers.

In detail, Detroit grew as a major manufacturing hub when the first steamboat operating across the Great Lakes fed Detroit's milling industry. Following the Civil War, Detroit became a critical hub for auto manufacturing when Henry Ford introduced the assembly line and opened a plant, capitalizing on existing industrial infrastructure that remained from the stove-making industry preceding the auto industry. Soon after in 1914, Ford opened a manufacturing plant in Los Angeles, where the discovery of oil fueled industrialism and lower wages attracted manufacturers. Both cities benefited significantly during the world war era, accruing investments resulting in spillover effects for other sectors and drawing immigrant or black Americans seeking new economic opportunities. In addition to facing discrimination in the type of jobs they could be admitted to, wages, and participation in union activities, Black workers and communities were disproportionately affected by the decline of manufacturing and white flight

in both cities. The rise of labor unions and their participation in shaping local politics and social structure are evident in both cities.

However, the growth of industries other than manufacturing and the inclusion of service employees and immigrant workers in Los Angeles demonstrate diverging trajectories of the two cities in shaping local politics around wages and other socioeconomic conditions safeguarding the residents. These different trajectories delineate differential impact on communities of color, their pace towards clean energy transition, and their approach to distributing the gains from economic growth and clean energy. The two cities' facilitation of clean energy transition and distribution of economic growth are also colored by state-level politics, where political alignment and misalignment on climate and labor issues between state and local governments reflect different models of legal and political frameworks governing the key mechanisms of industrial planning and labor-community participation.

These complicated systems of wages, labor relations, community organizing capacity, industrial transitions, and the distribution of emerging economic opportunities are tightly woven into the community benefits framework. Both Los Angeles and Detroit have monumental roles in advancing local infrastructure for community benefits. The earliest models of community benefits originate from Los Angeles, with the Staples Center CBA being the first use of CBA, while Detroit was the first city in the US to enact a community benefits ordinance, requiring projects receiving local subsidies or tax breaks to address community concerns in the form of community benefits. Los Angeles and Detroit are also the sites where CBAs for manufacturing projects have been applied. The cases in question – CBAs with New Flyer, an electric fleet manufacturer operating in Los Angeles and Fiat/Chrysler, an auto manufacturer in Detroit – offer a lens to analyze how the complicated history, relationships, and policies governing community participation, labor organizing, workforce development and job standards can shape corporate accountability and community benefits for mitigating harms and equitably distributing the benefits of industrial transitions.

Data, Sources, and Analytical Approach

The comparative case study was conducted using qualitative research methods, primarily document analysis and interviews. For the document analysis, the New Flyer CBA and the approved Fiat/Chrysler's CB proposal served as the primary source for understanding the negotiated conditions. Relevant documents that help contextualize the negotiation process, positions of the involved parties, and external factors affecting the parties' priorities and resources were also utilized. These documents included related 1) policy documents such as living wage ordinances and local hiring policies, 2) memos and press releases published by the directly involved parties. To establish some standard comparison points and inform coding methods, other CBAs and studies of more successful CBA cases were scanned. To further contextualize this analysis and findings, interviews with those involved in the negotiation process of the primary cases and those with expertise with broader CBA implementation, workforce development, and jobs were conducted (Appendix 1). These interviews were mostly conducted virtually and recorded with interviewee consent for analytical purposes. Stakeholders representing the companies involved in the CBA negotiations were requested for interviews but they were not available or did not respond to the request. The limitation in the scope of the

interviewees were mitigated by referencing the relevant companies' public statements; additionally, this limitation will be discussed further in the concluding chapter.

The qualitative data analysis was conducted in two stages. First, five CBAs that have been highlighted as successful examples in the CBA literature were scanned to guide the coding process. These five CBAs include the Los Angeles Staples Center CBA (2001), Port of Los Angeles PLA (2017), Hunters Point Shipyard and Candlestick Point Development CBA (2008) from San Francisco, Portland Community Benefits Agreement (2012), and Oakland Army Base Jobs Policies (2017) that are tied to their PLA and Cooperation Agreement. By analyzing these documents in reference to studies that have already focused on these cases (Rosado 2020; Marantz 2015; Been 2010; Gross et al. 2005, ECC 2022), several coding themes were identified. These themes included local community benefits policy, workforce and jobs policy, state involvement, developer interest, developer resources, coalition leadership, community participation, labor participation, compliance, and enforcement.

Second, the case study CBAs – New Flyer CBA and Fiat Chrysler America (FCA) CBP were reviewed and codified, initially using the coding themes identified in the first step that were modified as needed. For instance, workforce and jobs policies were further disaggregated to workforce development and job standards, and resources were detailed to separate financial resources. Multiple iterations of coding modification needed to be executed to identify the most critical variables informing CBA implementation and governance structure and institutional leverages at play. Similarly, interview transcripts and other primary documents were coded with the same themes. After all the documents were coded, different relationships and patterns among the coded themes were analyzed to demonstrate how different actors, resources, tools and mechanisms shaped the CBA conditions. The document analysis was conducted using Atlas.ti.

Ch.4 Case Analysis

This section presents the findings of qualitative data analysis. For each case, the findings are presented by the primary coding themes, exemplifying the discovered findings about internal and external factors of CBA stakeholders and negotiation process with direct quotes from the analyzed documents or stated by the interviewees.

Detroit: Fiat Chrysler Automotive Project

Background

Stellantis, formerly known as and referred to in this study as Fiat Chrysler America (FCA), operates several automotive manufacturing plants at numerous locations throughout the east side of Michigan (Figure X). In 2019, FCA announced a \$4.5 billion investment to convert the Jefferson North Assembly plants and the Mack Assembly plants from engine to assembly plants and build a new paint shop to increase production of the Jeep Grand Cherokee, 3-row full-size SUV, and plug-in hybrid (PHEV) models. FCA was expected to add about 5,000 new jobs in Detroit as announced in their community meeting flier. For this project, the City's Economic Development Corp, which owned some of the land needed for the expansion, approved the transfer; additionally, the City aggregated more than \$50 million from its development funds and configured vacant city-owned parcels to assemble 215-acres of land that FCA needed for this project (Gallagher 2019).

Figure 2 Stellantis Plants in Detroit MSA



Source: MI Dept. of Environment, Great Lakes, and Energy (2024)

With this transfer from the city, FCA qualified as a tier-1 project under Detroit's CBO (2016), which mandated any development projects that are \$75 million or more in value, receives \$1 million or more in property tax abatement, or in value of city land sale or transfer to negotiate community benefits with the city and impacted community residents. As such, FCA partnered with the City of Detroit's Planning and Development Department (PDD) to define the project scope and Impact Area (Appendix 2), establish a Neighborhood Advisory Council (NAC) (Table X), and negotiate community benefits commitments over five to six formal community meetings (Table X). In total, the PDD facilitated nine public community meetings, two of which were added per stakeholders' request, from March to April 2019 to introduce the project to the Impact Area residents, solicit their input on impacts that need to be addressed, and developing the final community benefits provisions with the NAC and FCA. After these meetings, FCA submitted the final community benefits package to the NAC and the City Council for approval. Initially, the community residents estimated \$50 million to address workforce, housing, and

neighborhood improvements as a result of the project. However, FCA conceded to an estimated \$28 million package to address these issues.

Table 4 FCA Community Benefits Negotiations Stakeholders

Stakeholder Group	Representation	Number Represented
NAC	Selected by Impact Area residents	2
	Selected by PDD	4
	Selected by At-Large Council Members	2
	Selected by Council President	1
FCA (Developer)	County External Affairs Lead	1
	Employee Relations Director	1
	Facility Construction, Hiring, Health & Safety	4
City of Detroit	PDD	2
	Dept. of Neighborhoods	2
	City Planning Commission	2
	City Council	3
Detroit Economic Development Corporation		1

As it was facilitated by the City of Detroit, this community benefits package is not a legally binding bilateral agreement; however, the Civil Rights, Inclusion, and Opportunity Department (CRIO) regularly monitors the project’s progress on fulfilling its commitments as delegated by the CBO by holding annual meetings and reviewing the biannual compliance reports. It is also tasked to enforce and investigate the project in case that the commitments are not met. As of May 2024, FCA was found to have violated one of a total 66 commitments related to air quality and odor issues, for which the state’s Department of Environment, Great Lakes, and Energy (EGLE) needed to be involved to resolve the issue. As a publicly facilitated process, the approved benefits package, memos, and reference documents like the Impact Area map and community meeting flyers, were publicly available and used for this research.

Table 5 Community Meetings, Mar-Apr 2019

Date	Objective
Mar 13-14	Kickoff meetings
Mar 20	NAC nomination & selection
Mar 27	FCA project introduction
Apr 3	NAC’s draft Impact List presentation
Apr 4	Follow-up discussion on rezoning*
Apr 10	NAC’s formal Impact List proposal

Date	Objective
Apr 17	City response to Impact List
Apr 22	FCA response to Impact List*
Apr 24	FCA's Final benefits package presentation & NAC voting for approval

*Added per stakeholder request

Community Benefits Negotiation Process

When analyzing the data – community meeting memos and news articles and press releases from the involved parties – various priorities and concerns were expressed through the stakeholders’ statements and actions in the engagement process. For instance, concerns over the number of jobs available to the impact area residents were regularly recorded, indicating the community residents’ concern over access to jobs. Simultaneously, both community residents and FCA requested additional meetings within the 3-month engagement period, signaling their desire for more engagement within the limited timeframe. From these documents, themes that were repeatedly shared and reflected emotive reactions were codified to identify how different stakeholders’ priorities, participation level, and available resources, shaped the negotiation process and commitments. The summary of quotes and major themes are presented in Table X.

1. Hiring & Workforce Development

The most prominent demands centered on workforce development and job opportunities. At the initial meetings, the City and FCA introduced the expansion project and shared information about the company’s job creation estimate, hiring policy, wages, and plans for apprenticeship and training programs. However, the NAC and community members’ requests for confirmation about the number of jobs, opportunities that would be available to residents in the immediate impact areas, and whether these jobs would be covered by collective bargaining were regularly noted throughout all the meetings. To ensure that jobs were not only available but accessible to residents, community members demanded preferential hiring for area residents and youths, with specific focus on systems-impacted people. Since Detroit did not have any local hiring-like policies at the time, except for construction projects under EO 2007-01, adding preferential hiring requirements was essential for ensuring that impacted residents have access to the proposed project.

In addition to hiring, community residents advocated for jobs training and career pathways programs to commence before the plant begins operation. Though FCA is an auto manufacturer, community members also demanded training for broader skill sets related to manufacturing, such as skills needed for careers in alternative energy, which are critically needed for the current demand for clean energy vehicles. The NAC expressed a need for training for skills needed for the anticipated jobs, further demanding that these training be made accessible to systems-impacted people and youths. Emphasis on connecting youths to these job opportunities were heavily emphasized – the NAC had demanded funding for area schools for youth career programming, scholarships, and summer employment programs, and other youth-focused activities.

The NAC also suggested leveraging existing organizations such as United Way, Michigan Works and local public school districts to implement these initiatives. Their recommendation to connect local organizations and schools confirmed the advantage of relying on community knowledge about their own social networks for strategizing the aggregation and use of existing resources, which could optimize the allocation of resources across the City, developer, and community stakeholders. Further, their desire to connect existing community-based organizations and public school systems indicate that community residents sought to utilize

Table 6 Major Themes from Stakeholder Negotiations

Theme	Stakeholder Priorities	Resources Needed	Example Quote	Negotiation Outcome
Hiring	<p>NAC: Opportunities for Impact Area residents, systems-impacted people, & youths</p> <p>FCA: Hiring best skilled & qualified people for the auto assembly and painting; reflect NAC priorities for hiring Systems-impacted people</p> <p>City: Opportunities for Detroit residents</p>	<p>Policies & Practice: Preferential hiring policies for target population by demographics or geography</p> <p>Assessment of Impact Area workforce skills, needs, and opportunities</p> <p>Funding: Funding to coordinate efforts across developer, workforce development agency & monitor progress</p> <p>Funding for relevant studies</p>	<p>“Specific plans for jobs, access to jobs [...] preferential hiring for area residents, youth, felons”</p> <p>“Confirm that the jobs number is the real jobs number and clarification regarding collective bargaining impacting those jobs”</p> <p>“Work with returning citizens, specifically United Way in addition to Michigan Works”</p>	<p>FCA commitment to prioritize hiring impact area residents, Detroit residents, returning citizens and veterans</p> <p>FCA commitment of \$5.8 million for expanding jobs opportunities to Detroit residents</p> <p>DESC commitment of \$2 million in in-kind support, monitoring</p>
WFD & Training	<p>NAC: New skills training and youth programs for Impact Area residents and schools, training for automotive and other industry jobs</p> <p>FCA: Training for employees and reliable pipeline to supply workers</p> <p>City: Training for Detroit residents, embedding training and education in local workforce and education systems</p>	<p>Policies & Practice: Design of jobs and skills needed for the new plant</p> <p>Estimation of the number of job positions and their levels</p> <p>Training programs for workers with various skills levels - for automotive and clean energy</p> <p>Funding: Funding to create new programs or supplement existing programs</p> <p>Funding to coordinate education and other programs with local schools and colleges</p>	<p>“This agreement is changing the direction of the community. Jobs training has to start now, before jobs are available. Projects need to start now to transform the community.”</p> <p>“Not just automotive training, but training for careers in alternative energy such as solar, etc”</p> <p>“Support are school with funding for youth career training, conflict resolution centers, computer systems, youth focused activities”</p>	<p>FCA & DESC to co-develop pre-application readiness training programs</p> <p>FCA commitment to provide work readiness training for new hires</p> <p>FCA and City commitment to fund youth training, employment, and scholarship programs</p> <p>FCA commitment to develop auto manufacturing curriculum with county community college</p>

Theme	Stakeholder Priorities	Resources Needed	Example Quote	Negotiation Outcome
Other Provisions	<p>NAC: Home repair and homeownership opportunities, mitigate blight and displacement</p> <p>FCA: Compliance with federal, state, and local requirements</p> <p>City: Better servicing of neighborhoods, opportunities to improve existing housing stock and community assets to accommodate new economic activities</p>	<p>Policies & Practice: Assessment of housing stock and conditions in Impact Area</p> <p>Home repair, rehabilitation programs</p> <p>Reporting and monitoring guidelines for environmental hazard & housing impacts</p> <p>Funding: Funding for housing grants programs</p> <p>Funding for assisting home buying</p> <p>Funding for relevant studies</p>	<p>“How will [added site traffic on stormwater, air quality, noise] be monitored and reported upon publicly?”</p> <p>“What is going to happen with housing on the west side of the plant?”</p> <p>“FCA needs to contribute more to housing”</p> <p>“Fund Libraries (Monteith & Chandler Park) within the Impact Area to create a program to capture and record the history of the lower eastside of Detroit.”</p>	<p>City commitment for 300 demolitions in Impact Area & 100 demolitions per year over three years</p> <p>FCA commitment to fund home repair grant program, priority given to Beniteau St residents</p> <p>City and city land bank commitment to rehabilitate vacant homes and release lots and homes for sale</p>
Engagement Process	<p>NAC: Continued engagement from FCA and City, enforcement mechanisms for accountability, longer engagement period</p> <p>FCA: Compliance with CBO process, understand community’s prioritized impact</p> <p>City: Successful implementation of CBO through CRIO</p>	<p>Policies & Practice: Plan for community engagement</p> <p>Review & revision of current engagement process, timeline</p> <p>Enforcement & accountability mechanism</p> <p>Enforcement body that executes strategies and goals of the enforcement committee</p> <p>Funding: Funding for evolving future community priorities</p>	<p>“The timeframe to deliver the package is too short.”</p> <p>“What if the NAC does not feel like my impact is not important?”</p> <p>“Does FCA have plans about community engagement?”</p> <p>“Request for continued public engagement from FCA, beyond the CBO process”</p> <p>“Fine FCA [...] if they do not adhere to the benefits agreement”</p>	<p>FCA commitment of \$800K for multipurpose fund for additional home repair programs, parks, recreation center study, capital investment</p> <p>City commitment of \$300K for Impact Area marketing</p> <p>City commitment to establish enforcement committee</p> <p>FCA to submit site plans, environmental protection plans</p>

community benefits as a means to fill the gaps in their existing ecosystem of education and workforce development.

2. Other Provisions

Besides workforce development and jobs, environmental impacts, housing, and various improvements for the neighborhood were prioritized by the NAC and community members. For environmental impacts, the community demanded FCA to include details on the potential environmental and health impacts of the plant during construction and operation phases, how the company sought to mitigate or respond to these impacts, and how it would monitor and report on these impacts. Additionally, the NAC demanded FCA to conduct a logistics and traffic study to assess the implication of changes in the traffic flow, congestion on noise, air quality, and stormwater in the neighborhood. More specifically, the NAC requested details on noise mitigation, site landscaping and maintenance, and necessary rezoning strategies to accommodate needed changes to be detailed in the company's site plan that would undergo PDD and other city agencies' review. Beyond the jurisdiction of FCA, the community also raised questions about how siting decisions of the air quality monitoring stations would be decided, highlighting the need for coordination between local and state government agencies to address broader environmental issues that may arise from these projects.

Primary demands for housing included funding for home repairs, demolitions, financial contribution to the local affordable housing fund, and homeownership incentives for FCA employees. Grants for home repair for homeowners were particularly repeated frequently, followed by assistance for buying homes, especially for FCA employees who choose to move to the Impact Area neighborhoods. Such targeted program focus reveals possible concerns over displacement and neighborhood blight as a result of the project. Additionally, housing-related demands were closely tied to specific geographies around the Impact Area, distinctly prioritizing parcels around Beniteau, St. Jean, McClellan, Mack, Warren, and Jefferson streets, which either border or intersect through the Impact Area as major intersections or are adjacent to the project site perimeters. Finally, linking ties to residential and commercial activities that would be impacted as a result of the project, community residents demanded home repair grants to target legacy residents and be extended to impact area businesses for improving building facades.

Relatedly, the third priority for community members hinged on various amenities and services in the Impact Area, including support for small locally owned businesses. For businesses in the Impact Area, the NAC called for not only grants to improve their building facades but also creating a new vendor selection criterion to prioritize Detroit-based on Impact Area-based businesses for City and FCA's contract opportunities. This criterion was considered in a broader strategy for the community to create a more inclusive ecosystem for local businesses to benefit from FCA as an anchor firm, modeling after cities like Cleveland, OH that fostered expanded the local business network around the Cleveland Medical Complex. The NAC also proposed funds to be allocated to establish new or more specific services, such as urban farms and grocery markets to improve communal access to healthy food. To adjust for potential changes in the future landscape of local businesses, community members also sought funds to be allocated in a community-controlled permanent fund, which would be used to determine and plan benefits for the future, especially in the southwestern neighborhoods of the Impact Area. Other than support

for local businesses, demands for neighborhood amenities included funding to improve neighborhood libraries, parks, and community centers as well as improving internet connection and streets, which are services typically provided by the City.

3. Engagement Process

Other than demands for specific provisions from FCA, concerns over the engagement process – particularly on the timeline, post-negotiation engagement, and compliance – were frequently voiced by community members. First, among the final feedback on the negotiation process, the NAC remarked on the limitations of preparing and reviewing relevant documents for this process due to the short timeline granted by the City’s CBO guidelines. In fact, by adding two community meetings per the community and FCA’s request, the City arranged eight community meetings over about a 40-day period to negotiate a wide-ranging set of concerns and benefits of a multi-billion project. Though distributed less evenly in actuality, the meetings were held at 5-day intervals, providing a strict time constraint for community members, the developer, and the City to rush through meaningful engagement and reflections on the negotiation process. Such concern for limited time was addressed in the Recommendations for Amendments of the Detroit Community Benefits Ordinance (2018), which was published by the Equitable Detroit Coalition and contributed to the ordinance’s amendment in 2021. The twelve recommendations address issues of inclusivity, enforcement, and accountability, some of which have been addressed by the City in response. Based on monitoring of multiple CBO processes and interviews with NAC members, the CBO process was deemed too short, granting weeks for community engagement, and terminating by an arbitrary deadline. As such, the community coalition has called for the City to extend the negotiation process over several months, only terminating it when the negotiations are fully agreed upon by the parties. Though the City demonstrated flexibility by including additional meetings upon stakeholders’ requests, it exercised inflexibility over changing the negotiation period or accepting the final benefits package while opposition among the NAC and City Council remained.

Second, community members routinely expressed concerns over the lack of transparency and inclusion in the engagement process, especially after the benefits package would be finalized. Although FCA appointed a community liaison for the CBO process and possibly the period following the benefits package approval, community members were not provided information about the actual plans and programs for engagement. The CBO also leaves this ambiguity unaddressed - the ordinance includes directives for the benefits package to address continued community engagement but does not require any specifics on how the engagement process should be pursued. As such, it leaves much flexibility over how prescribed the engagement plan should be, if the developer chooses to propose one.

Lastly, community members’ concerns over compliance and enforcement reveal a deeper lack of trust in the engagement process. From the start, the city’s CBO does not require the Developer to engage in any legally binding agreements with individuals or organizations other than the City itself. Even though members of the Impact Area community are represented through the NAC, only two of the 9 members are elected by the residents – during a meeting when candidates are nominated, voted, and finalized – and the rest are appointed by city departments, appointees, or elected officials. Naturally, community residents questioned

whether the NAC accurately reflects the community residents' priorities. Skepticism over the engagement process extends beyond their representation among stakeholders, driving community members' call for fines or stricter penalties to developers in case of non-compliance. During the final meeting when FCA presented the final benefits package for NAC's approval, discussion on enforcement constituted a significant portion of the Q&A session; however, given that the benefits package was set to be voted on that day, it is likely that the said discussion could not alter the benefits package. Though seeking NAC approval is an improvement since the 2021 amendment to the CBO, the process still centers on the City's facilitation and leaves insufficient room for community feedback. As such, the engagement process leaves community experience at the periphery from initial negotiations to its finalization to its enforcement, failing to center community voice in shaping the benefits package.

Community Benefits Negotiation Outcomes

The NAC approved the final benefits package proposed by FCA by an 8-1 vote. FCA and the City made an estimated \$28 million commitment to address the issues that have been raised in the community meetings. The final benefits package includes some but not all the requests that have been made in the NAC's Impact List. The community's Impact List demanded a total of \$50 million commitment to address environmental impacts, housing, workforce and education, and neighborhood improvements, but these commitments were partially covered in the final benefits package. Additionally, a significant portion of the financial commitment was shared by the City, which leveraged its financial resources, agency efforts, and private-philanthropic partnerships to complement FCA's commitments. At the final community meetings, community members expressed that the final commitments were insufficient and expressed some level of disapproval of the final outcome.

The largest investment was allocated towards job training and opportunities, totaling \$18.8 million with \$5.8 million from state funding directed towards expanding job opportunities to Detroit residents and \$2 million in-kind services from Detroit Employment Solutions Corp (DESC) – a nonprofit organization established to implement the strategies of the Mayor's Workforce Development Board. DESC also committed to collaborate with FCA to develop pre-application readiness training programs using state funds and provide quarterly reporting regarding pre-employment and workforce development within the Impact Area, though the agency delegated to review and evaluate the reporting requirements were not specified.

Additionally, FCA committed \$4 million to fund a manufacturing training academy at local high schools for youth and adults in partnership with the Detroit Public School Community District. DESC has been delegated to administer the funds and facilitate the partnership with the local school district. The City would complement this investment in education by committing to fundraise \$4 million to support the manufacturing training academy, \$2 million to fund adult training, and fundraise an additional \$50,000 from philanthropic partners to improve schools' computer labs and libraries. The City committed \$500,000 each to existing youth employment programs and scholarships, Grow Detroit's Young Talent (GDYT) summer program and Detroit Promise, that would be administered by DESC and Detroit Regional Chamber of Commerce, respectively. Lastly, FCA committed to working with the local community college to develop the

Automotive Manufacturing Program, connecting with key educational institutions to strengthen the workforce pipeline in the city.

Although priorities for youth, engagement with the local school district and other workforce development agencies, and increased training scope and opportunities have been reflected in the final benefits package, it excluded demands for childcare funds, assistance for employee transportation, preferential hiring, and assurance of job availability at all levels. Also, training programs narrowly target auto manufacturing, which aligns with FCA’s needs and the state’s strategic focus on improving the auto manufacturing capacity; however, it misaligns with community residents’ demand for training in alternative energy-related industries. Though the programs could be developed to center transferable skills that are applicable across manufacturing and other clean energy-related industries, the programmatic focus appear less diverse, which could be detrimental to the community if FCA or auto manufacturing were to shift away from Detroit.

Other final commitments addressed housing, developing community plans, and continued engagement following the community benefits approval. A summary of these commitments can be found in Table X.

On enforcement, the approved benefits package guides continued engagement to be guided by requirements for city agencies to continue reviewing site plans, requirements for the developer to make Environmental Protection Plans publicly available and comply with federal, state, local laws. However, it does not include actual plans or programs for engagement, which could entail details on who could coordinate or participate in the engagement process, when the stakeholders would meet, and how the reporting, monitoring, and evaluating would be structured. Instead, all enforcement responsibilities are delegated to CRIO, which can monitor compliance but is not authorized to penalize stakeholders in cases of non-compliance.

Table 7 FCA Community Benefits Package Summary

Issue Area	Investment	Commitments
Neighborhood Stabilization Housing in Impact Area	\$7.7 million	City commits \$5.4M for 300 demolitions, \$500K for home rehabilitation
		FCA commits \$1.8M in home repair grants, \$700K for support with noise pollution
		Detroit Land Bank Authority (DLBA) commits to homeownership and rehabilitation programs
Impact Area Resident Engagement in Planning and Development	\$1.6 million	City commits \$500K to develop community plan
		FCA commits \$800K for impact neighborhood fund, to be managed by Invest Detroit
		City commits \$300K for marketing resources and engaging with FCA and community

Issue Area	Investment	Commitments
Access to Training and Job Opportunities for Impact Area Residents	\$18.8M	FCA commits \$5.8M from state funding towards Detroit resident employment programs, administered by DESC; DESC commits \$2M in-kind for pre-application and interviewing services
		FCA commits \$4M for manufacturing career academy program at local high school and CTE facilities for youth and adult training; City commits to fundraise \$4M for CTE program and fund \$2M for adult training; City commits to fundraise \$50K to support science-tech high school
		City commits \$500K for impact area student scholarships through Detroit Promise
		FCA commits to developing a auto manufacturing program at community college
Continued Community Engagement		Compliance: City commits to creating an enforcement committee including the NAC that will convene during the time period specified in the CB provision (not specified); FCA commits to publishing Environmental Protection Plans (EPP) and comply with federal, state, local laws
		Small business support: FCA commits to hosting minority supplier matchmaking event in the impact area within 90 days of Council approval; City commits to leveraging two existing programs supporting small businesses in IA

Los Angeles: New Flyer CBA

Background

In 2013, Canadian EV fleet manufacturer New Flyer won a \$302 million-contract with the Los Angeles County Metropolitan Transportation Authority (LA Metro) to supply 550 40-foot compressed natural gas (CNG) buses (LA Metro 2013) as part of the county’s bus fleet replacement plan that contributed to a broader strategy for zero-emission transportation. In the procurement contract, LA Metro included compliance with the US Employment Program (USEP), a contractual provision that incentivizes companies to create good jobs, locate manufacturing facilities in the US, and generate opportunities for disadvantaged workers (DOT 2016).⁶ Per this contract, New Flyer has committed to creating more than 50 jobs and paying wages between \$11-50 per hour. After New Flyer delivered its final bus for this contract in 2016, it continued to be contracted by LA Metro to supply electric buses and other fleets as the county’s Clean Transit Agenda evolved. With succeeding contracts, funding for New Flyer’s contract grew ties with the Federal Transit Administration’s Local Labor Hiring Pilot Program and the Transportation Diversity Council – a not-for-profit provider of workforce development

⁶ Later in 2018, LA Metro developed its own Manufacturing Careers Policy, which applied USEP to all future procurements of railcars, bus, and related equipment worth \$100 million or greater in value.

programs that promote diversity in the transportation and construction industries – that placed further conditions for New Flyer to assist local employment and hiring a diverse workforce (New Flyer 2017).

In 2019, Jobs to Move America (JMA) – a policy center that works to transform public purchasing that is rooted in labor-community organizing – filed a complaint in California’s state court against New Flyer, for violating the CA False Claims Act related to the company’s US Employment Plan (USEP) commitments pertaining to its employment business practices. The New York Times (2019) reported that the violation regarded New Flyer not paying its workers the wages and benefits that it promised in the 2012 contract with LA Metro and falsely reporting its progress. Additionally, JMA, in partnership with Alabama A&T University, conducted and published a study on pay gaps between white and black workers at New Flyer’s Anniston, AL facility (Erickson 2021). While denying all allegations, New Flyer was pressured by the potential negative effects of the lawsuits and discrimination findings on their public bidding opportunities, so it agreed to a \$7 million settlement and entered a multi-state CBA that covered their facilities in Ontario, CA and Anniston, AL, which became the first case of CBA in the Deep South (Greenhouse 2022).

Spearheading the Alabama Coalitions for Community Benefits (ACCB) with Greater Birmingham Ministries (GBM), Jobs to Move America (JMA) – grouped as Coalition Partners – entered a CBA with New Flyer in 2022. As a legally-binding bilateral agreement, this CBA provided for at least 45% of New Flyer’s new hires and 20% of its promotions at each Ontario and Anniston facility to be individuals from “Historically Disadvantaged Groups,” which the agreement defines as Black, Indigenous, People of Color (BIPOC), women, LGBTQ+ persons, systems-impacted people, people emancipated from foster-care system, residents of Anniston, AL lacking GED or high school diploma, and veterans. The provisions also address other hiring and workforce issues such as veteran recruitment, creating preapprenticeship and technical training programs, new systems for harassment and discrimination claims, and expanding bilingual capacity. The negotiation process arriving at these provisions is detailed in the following section.

Community Benefits Negotiation Process

As a private agreement, records of the New Flyer CBA negotiation process are not publicly available. As such, the New Flyer, JMA, and their legal representatives⁷ were contacted for an interview, of which the JMA personnel responded and agreed to a semi-structured, in-depth interview. To supplement this interview and incorporate unbiased information or perspectives of other stakeholders, news coverage and press releases were used for analysis.

⁷ JMA was represented by Robbins Geller Rudman & Dowd (RGRD) LLP and McCracken, Stemerma & Holsberry LLP, the latter serving as the co-counsel and JMA’s General Counsel. RGRD wrote on their involvement in the case, which was also referenced for this research ([RGRD 2022](#)).

For ACCB, coordination and communication with their member organizations⁸ were pivotal to shaping the agreement provisions. Concurrent with JMA's lawsuit against New Flyer, JMA and United Steelworkers Local 675 (USW 675) was launching a campaign to form a CBA with another EV fleet manufacturer, Proterra, which was operating in the City of Industry in the Greater Los Angeles Metropolitan Area. Additionally, the Communications Workers of America (CWA) was unionizing the workers at New Flyer's St. Cloud, MN facility while the Sheet Metal Workers Union was unionizing New Flyer's Lancaster, CA facility.

"If the organizations that we work with have this deep, deep solidarity with labor that can result in the strongest possible community benefits agreement, then I think what's achievable in a community benefits agreement is directly proportional to the degree of solidarity that the coalition has." from interview with the JMA organizer

Working in conjunction with labor unions working closely with New Flyer workers, JMA adopted the role of coordinating and compiling common complaints, disputes, and other issues raised by workers at EV fleet manufacturers across the US. JMA's position in leading the coalition positioned itself well for aggregating the issues and challenges faced by workers and communities affected by large manufacturing projects and reflecting them in CBA provisions more holistically and effectively.

Further, JMA had centered its organizing strategies and priorities to influencing public purchasing, leveraging public procurement policies to change corporate employment practices and improve job quality and access. An labor-community organizer shared,

"Public agencies across the country have a really powerful voice and they [...] really have a role to play when it comes to creating and sustaining good jobs, not just jobs. Public agencies of all kinds should determine that and their main tool for that is procurement."

As such, its accrued knowledge about local, state, and federal procurement policies, manager-labor relations in the public transportation sector, and employment-labor practices about key public transportation vehicle manufacturers from their work in Canada and the US was critical in shaping a worker-labor focused CBA.

Its awareness of the local community constraints in the areas where they operated also significantly contributed to shaping their priorities in CBA. First, by entering the CBA with GBM, an interfaith ministry deeply tied to civil rights organizing history that continue to pursue social justice and provide various assistance to Birmingham-area residents, JMA grounded its national efforts to the specific geographic context befitting the Anniston plant. Also, a Party to

⁸ The ACCB included A Better Balance, Alabama NAACP, Alabama Arise, Alabama Forward, Alabama Rivers Alliance, Greater-Birmingham Alliance to Stop Pollution, Greater Birmingham Ministries, Hometown Action, Jobs to Move America, Adelante Alabama Worker Center, AFL-CIO, Communications Workers of America (CWA), International Brotherhood of Electrical Workers (IBEW), United Auto Workers (UAW), United Steelworkers (USW).

the agreement, GBM could be centered in the negotiation process, instead of being merely engaged for partial consultation or other limited roles.

Secondly, as briefly discussed in the Background section, the major provision that allowed JMA to file a complaint against New Flyer was the USEP provision in LA Metro's 2012 contract with New Flyer. Interestingly, USEP was developed by a team of experts from JMA, Brookings Institution, University of Southern California, and University of Massachusetts Amherst and was approved by the US Department of Transportation to be used for the purchase of rolling stock for LA Metro, Chicago Transit Authority, and Amtrak between 2012 and 2014. Thereafter, USEP was applied to purchasing policies of the Massachusetts Bay Transportation Authority, Metropolitan Atlanta Rapid Transit Authority, and the MTA New York City Transit. In the aftermath of the lawsuit between JMA and New Flyer, LA Metro developed its Manufacturing Careers Policy, enabling public transit purchasing to enhance job quality and access more permanently in the LA area. JMA's multi-level approach to obtaining federal recognition of these policies then institutionalizing them at local levels to spur equitable employment practices demonstrate the importance of having a thorough understanding of the local infrastructure and constraints to addressing employment and worker issues for leveraging opportunities across localities with widely varying legal and political environments such as Los Angeles and Anniston.

While JMA's priorities centered on using public transportation purchasing to expand job opportunities to historically disadvantaged workers, New Flyer's priorities centered on maintaining good relations with their consumers like state and local governments. Since New Flyer significantly benefited from government decisions to transition publicly-owned fleets to zero-emission vehicles, it was imperative for New Flyer to comply with government policies and maintain good standing for public contracting opportunities. As such, though New Flyer's agreement with JMA would remain as private agreements, New Flyer's motivation to diversify hiring, adopt targeted hiring, and provide workforce development and other wraparound services for their employees were driven by regulatory mechanisms in public procurement policies.

Community Benefits Negotiation Outcomes

Given that New Flyer and the Coalition Partners entered a CBA as a result of a lawsuit over employment practices and that JMA's priorities were shaped by their campaigns with organized labor, the agreement provisions primarily address New Flyer's workforce development programs, hiring policies, and employment policies. In detail, the agreed terms pertain to 1) jobs, workforce development, and career pathways, 2) financial literacy, 3) diversity and anti-discrimination, 4) environmental safety and health condition at the Anniston facility, 5) workplace complaint system, 6) dispute resolution, 7) savings clause, and 8) relationship to existing agreements.

Article 1 on jobs, WFD, and career pathways addresses employer commitments to supporting WFD programs, diversity-inclusion hiring, ban-the-box, wraparound services for workers, and reporting requirements. Primarily, the terms require New Flyer to make commitments to augment existing WFD programs, enhance diversity and inclusion, and deliver community

benefits from the employment programs – though, “community benefits” is not defined. It also requires commitments to recruit, hire, train, and promote workers regardless of “Historically Disadvantaged People” status like race, gender identification, disability, criminal records, and more. The landmark hiring and promotion goals are to ensure that at least 45% of new hires and 20% of promotions at each plant to be workers from Historically Disadvantaged Groups.

Tracking and reporting of the hiring and promotion goals are also detailed. The reporting guidelines require New Flyer to track and disclose the tracking data – parameters of which are also detailed in the agreement – to the Coalition Partners on a quarterly basis, and for the Parties to collaborate to develop the tracking tool within six months of entering the CBA. Additionally, New Flyer committed to holding singly quarterly meetings with both plants, during which the Parties will evaluate compliance with the hiring and promotion goals and review New Flyer’s Good Faith Efforts to achieve these goals. These communications are required to be in the form of written reports, which New Flyer committed to provide to the Coalition Partners within the first month of every quarter. Specifications on when and how to schedule the quarterly meetings for these reporting measures are also included. These commitments serve a strong enforcement, transparency, and accountability measures as violations of these good faith efforts could result in private arbitration.

One of the most notable features of this CBA is its specific prescriptions for designing the training programs. The terms detail New Flyer to develop and administer, in coordination with the Coalition Partners, preapprenticeship and technical training programs, with specifications on how to measure success for participants such as their placement in New Flyer plants and progress in leadership, accomplishments, and comparative assessments. New Flyer also committed to work with the Coalition Partners to identify additional funding sources and in-kind donations for the program. In turn, the coalition will locate facilities to serve as sites for the preapprenticeship program and identify instructors who can deliver the training.

The CBA details the scope and goal for expanding existing training programs to center basic technical skills such as tools skills, precision metal work, electrical wiring, assembly of complex mechanical and electrical systems, and basic concepts of mechanical and electrical engineering related to vehicle manufacturing. The program prioritizes participants who complete the preapprenticeship program and intends to include pre-employment and on-the-job training for prospective employees to be equipped for immediate employment and enhance those skills on the job. To reach targeted populations like veteran workers, the terms bind the Parties to collaborate with the Center for Military Recruitment, Assessment and Veterans Employment to utilize the Helmets to Hardhats program as a resource for creating and maintaining a database of potential veteran applicants. Though these programs would start as non-registered, employer-provided programs, they are designed to be registered with the Department of Labor and with the California Department of Industrial Relations for the Ontario Plan. For the technical training programs, New Flyer would identify its own training instructor.

The CBA addresses other support and wraparound services for workers. For instance, New Flyer committed to 1) provide communication for recruitment, hiring, training, and other purposes in Spanish, 2) increasing the number of Historically Disadvantaged Workers from surrounding

areas in leadership or supervisory roles, 3) plans to advocate for connecting workforce pathways programs with schools and colleges at the state level, 4) discuss plans to address transportation needs for workers, and 5) facilitating the entry of veteran workers.

Other articles in the CBA address various ways to improve job standards and quality. To help workers improve their financial literacy, Article 3 requires New Flyer to allow Coalition Partners to host a semi-annual debt clinic on-site at the Anniston plant with specific guidelines on timeline and notice about the events. To address diversity and anti-discrimination, Article 4 requires New Flyer to comply with all local, state, and federal anti-discrimination and anti-harassment laws and review all human resources policies that relate to these issues. It also requires New Flyer to acknowledge key Heritage Months with directives on notices and signage for observing these events. To improve safety and health at the Anniston facility, Article 5 requires the establishment of the Joint Management and Employee Safety and Health Committee composed of eleven employees and eleven managers that would meet monthly to discuss health and safety issues and improvements. This article also directs New Flyer to allow employees to attend safety training led by a non-profit organization identified by the Coalition Partner and continue voluntary collection of race data for injuries. Relatedly, Article 6 supplements the existing discrimination and harassment complaint system by allowing Coalition Partners to select designated community organizations (DCOs) that can assist employees filing a complaint. Article 7 details how disputes between employees and managers ought to be resolved, while the remaining articles (Articles 8 to 13) address the statutory validity and protection to uphold this CBA.

As gleaned from the negotiation outcomes, New Flyer's commitments center on programming and changing internal policies and processes to comply with the agreement terms. The agreement does not specify any dollar amounts to accomplish these tasks; rather, emphasizes the goals and plans that need to be executed with specific timelines, roles, and accountability measures in case of non-compliance. In turn, the Coalition Partners are delegated roles in evaluation and collaboration on deciding training sites, selecting training instructors, developing systems for data tracking, managing complaints or disputes, and identifying additional funding sources. As such, coordination and implementation responsibilities are shared across Parties with greater authority for oversight given to the Coalition Parties.

Discussion

As discussed, the FCA and New Flyer cases were selected to primarily explore how community benefits have been negotiated in the manufacturing sector to inform CBP processes that are likely to be more prevalent in the clean energy manufacturing sector with the anticipated growth in public and private investments. Beyond their shared background in manufacturing, however, these cases shared similarities in being based in urban cities where manufacturing was a key part of its economic growth. However, the rapid decline in manufacturing – in combination with other factors like segregationist land use policies, outmigration, weakening local tax base, and blight – have had detrimental impact on neighborhoods where these manufacturing facilities have been sited.

In Detroit, the City established the Community Benefits Ordinance to institutionalize a system in which developers could be held more accountable and for the city and impacted community members to share the benefit of the profit and productivity gain through these projects. Though this ordinance was deemed unsatisfactory by local community organizations and underwent an amendment, it mandated the developer to engage with members of the community where they have been operating before the expansion plan. As such, the developer entered a formal process to solicit community members' concerns about the potential impact of the plant activities on housing, environment, and health. In exchange, community members demanded more meaningful participation in new employment opportunities, improving existing housing stock and access to homeownership, and mitigating potential environmental hazards. However, the City's facilitation of the negotiation process and institutional constraints on timeline, enforcement, and accountability left the community's concerns over accountability – engagement process, dollar value of the final benefits package, and enforcement – unresolved. Simultaneously, the resources needed to address community demands were shared by the developer and the City, relieving the developer from making more significant monetary commitments.

In Los Angeles, the process by which the manufacturer entered the CBA was carefully orchestrated and coordinated by a labor-community organizing body that worked across the US. By advocating for a more inclusive and equitable public procurement policy across federal and local levels, JMA created an opportunity to keep New Flyer accountable by alleging they had violated employment practices in Los Angeles and Anniston, AL. Leveraging its network with organized labor and community organizations that were actively engaged in the geographies they operated, JMA solicited input from workers that were directly employed by the manufacturer to shape their demands. Though the research was unable to obtain records of the negotiation process due to the nature of this agreement, interviews, press releases, and news coverage portray that JMA's deep ties with existing labor-community organizing networks and coordinating capacity contributed significantly to shaping an ambitious and enforceable CBA. Additionally, the CBA did not specify monetary commitments from the developer; rather, it required the developer to make programmatic or procedural changes in their company policies and required cooperation with the coalition partners on specific items, prescribing their obligations to be met and reported on community's terms. With this approach, the CBA required the developer to make more permanent institutional changes, delegating a greater role and responsibility to engage with coalition partners instead of merely providing the funds.

For both the FCA and New Flyer cases, lessons that can inform the broader CBP process can be learned. The following sections detail the factors that contributed to the positive and negative outcomes from both cases (Table X), which are contextualized with broader interview inputs on community benefits processes.

Comparative Analysis

In the FCA case, the primary stakeholders were NAC, FCA, and the City, whereas the New Flyer incorporated New Flyer and the Coalition Partners, represented by JMA and GBM, as the Parties of the agreement. Given that the FCA did not involve a legally binding agreement, In both cases, priorities of the community and labor-community actors centered on improving

access to jobs for members of the community that would be impacted by the manufacturer. However, the New Flyer CBA outlined commitments regarding job quality and workplace conditions in greater detail as their provisions were more heavily shaped by past experiences of labor unions and labor-management engagement at other facilities. On the other hand, the FCA case revolved around a specific geographic boundary – Impact Area – that was defined by the City and the developer. Tying the commitments to a specific geography was typical of other CBA precedents, which involved large-scale real estate development projects that had broader impacts on the residential and commercial landscape of the neighborhoods surrounding the development site. By having deeper ties to a specific place, the scope of community could be more centered and defined; however, it also enables the negotiation to cover a wider range of issues concerning the neighborhood’s housing, parks, and other services or amenities, which require community representatives to carefully consider how targeted or broadly their agenda should be shaped. For the FCA case, the NAC may have benefitted from a longer timeframe and deeper engagement to advocate for the wide-ranging demands.

For the developers – FCA and New Flyer – access to public funding, subsidies, or incentives were the key motivation to enter the CBA. Given local strategies to transition public vehicles from fossil fuel-based to zero-emission vehicles, New Flyer’s primary customers were public transportation agencies. Since their procurement policies had stricter employment conditionalities given the USEP, New Flyer needed to comply with these standards to access public contracting opportunities. The FCA needed more land to expand their plants and needed the City to aggregate sites, review and adjust existing zoning and land use regulations, and transfer or sell the parcels. In total, the city would leverage a transfer of land far exceeding the \$1 million threshold to trigger a CBO process. As such, FCA needed to comply with the CBO process to obtain the land required for their expansion plan. In addition to the land transfer and other tax incentives, as shown in the final benefits package, the City made additional commitments through monetary funds, in-kind services, or procedural changes to accommodate the benefits package implementation. In the CBO process, the City needed to ensure that FCA’s expansion plan would bring new economic opportunities to Detroit to benefit their residents, attract more businesses and, and gain a greater tax base. To attract manufacturing and demonstrate that the city could accommodate other business interests, the City’s commitments were shaped to ease the share of financial commitments from FCA

In these conversations, the level of involvement by organized labor is starkly different. In Detroit, the United Auto Workers, already having a strong presence and legacy due to the concentration of auto workers, provided the meeting site and participated in the community meetings. UAW advocated for existing temporary workers to be hired first for full-time positions and for UAW members to be paid a higher rate. Though these demands would help improve pay and access to jobs for existing workers, they prioritized union members over community residents. Ultimately, existing union members were given higher preference for hiring than Impact Area residents. In Los Angeles, involvement of various organized labor bodies – including CWA and United Steelworkers that organized other plants and the Adelante Alabama Worker Center – meaningfully shaped the CBA provisions. Most notably, worker complaints and dispute records led the Coalition Partners to prioritize opportunities for Historically

Disadvantaged Workers, improve harassment and discrimination filing systems, and enhance bilingual capacity of the New Flyer’s training and communication materials.

As such, much of the commitments in the New Flyer necessitated programmatic resources to revise or create new systems or organizational bodies rather than financial commitments as were prevalent in the FCA benefits package. The Coalition Partner’s demands propelled sustained engagement between the firm and the labor-community organizations to meet their major goals, such as co-creating the data tracking and reporting system – so it avoided potential concerns over engagement, which was expressed by community stakeholder in the FCA CBO process.

Concerns over engagement remained as a key point of tension in Detroit even after the benefits package was finalized. Lacking clear guidance or plans for engagement, community members could be excluded from monitoring and keeping FCA accountable on their commitments for workforce, jobs, environmental health hazards, and housing. The City has institutionalized an enforcement committee and CRIO to be the monitoring and evaluation body but information about when the enforcement committee were to be created, who constituted the committee members, and how they enforce the provisions were unable to be found during the research process. On the other hand, CRIO regularly publishes reports on the FCA CBO as it does for other city projects that have undergone the CBO process. Given that the FCA benefits package was formed through a public process, the transparency of the negotiation process, outcomes, progress and lack thereof itself serves as an effective enforcement tool. However, CRIO still remains unequipped with punitive powers. Instead, CRIO is delegated to work with developers to help them achieve their commitments when they are non-compliant. The lack of punitive authority marks a key advantage of the New Flyer, which is a legally binding agreement that the Parties can utilize as an accountability mechanism. However, by its nature as a private bilateral agreement, access to monitoring and evaluation reports or data is limited.

Consequently, JMA has confirmed that New Flyer has maintained good faith efforts with reporting requirements, meeting the key hiring and promotion goals, and on other commitments that are included in the agreement. For FCA, based on the CRIO’s recent compliance report, FCA was not in compliance with one of 66 commitments regarding air quality and improper equipment installment. CRIO reported that the Mack Assembly Plant committed air quality violations in 2021 and 2022, requiring EGLE to impose enforcement measures to address federal air quality standards. Since then, similar violations have been made at the Jefferson Plant and EGLE has begun an escalated enforcement action. In response, FCA installed and began operating an air pollutant device to resolve excess emission and odor violations (EGLE 2024). Having jurisdiction over broader environmental impacts, the state agency played a key role in enforcing and monitoring this violation.

Table 8 Case Comparison Results

	FCA CBA (Detroit, MI)	New Flyer (Los Angeles, CA)
Stakeholder Priorities	NAC: Improving job opportunities, housing, and community assets for Impact	Coalition Partners: Improving job quality and access for workers at LA and Anniston

	FCA CBA (Detroit, MI)	New Flyer (Los Angeles, CA)
	<p>Area residents</p> <p>FCA: Accessing government incentives, subsidies to lower cost, improving plant productivity</p> <p>City: Attracting manufacturing businesses to Detroit, Acquiring land for transfer or sale to FCA, Improving jobs opportunities, housing, parks, and other services and amenities for Detroit residents</p>	<p>plants</p> <p>New Flyer: Accessing public funding & contracting opportunities, improving plant productivity</p>
Role of Organized Labor	<p>UAW hosting community meetings at its local chapter</p> <p>UAW advocating for existing temporary workers to be hired first for full-time positions</p> <p>UAW ensuring higher wages for union workers at the plant</p>	<p>Coalition includes unions and worker centers as members</p> <p>CWA, Steelworkers union campaigns at other New Flyer facilities inform CBA commitments</p> <p>Commitments regarding jobs, WFD, career pathways & environmental safety and health to be consummated by collective bargaining agreement and any other labor-management agreement to supersede if the CBA conflicts with them</p>
Key policies	<p>Detroit CBO: Value of land transfer and tax incentives to FCA trigger CBO process</p>	<p>US Employment Plan: Contractual provision for companies to create good jobs, local manufacturing facilities in the US, and generate opportunities for disadvantaged workers. Approved by the DOT to apply to public purchasing by LA Metro. Influence LA Metro to develop Manufacturing Careers Policy</p>
Resources Negotiated	<p>Funding for grants programs, training programs, neighborhood fund</p> <p>WFD service provision, training and education curriculum development, partnerships with existing organizations like DESC and educational institutions</p> <p>Staffing and personnel for relevant institutional or bureaucratic changes</p>	<p>Funding for developing training program, establishing training facilities from external sources</p> <p>Partnership with organizations for hiring and WFD</p> <p>Staffing and personnel needed to develop new data tracking system for monitoring and reporting & to make relevant organizational and internal policy changes</p>
Community Participation	<p>NAC represents community but only 2 of 9 members are voted by community members</p> <p>Community members expressed concern over representation even among NAC</p> <p>City officials and appointed</p>	<p>Bilateral agreement between New Flyer and Coalition Partners position them similarly in negotiation terms</p> <p>Coalition Partner given greater oversight responsibility through enforcement mechanisms</p>

	FCA CBA (Detroit, MI)	New Flyer (Los Angeles, CA)
	<p>representatives comprise 17 of 25 stakeholder members</p> <p>City leads and facilitates CBO process</p>	<p>JMA leadership of coalition and coordinating capacity across labor-community organizing to shape CBA provisions</p>
Enforcement & Compliance	<p>City commits to create enforcement committee</p> <p>CRIO delegated with enforcement, monitoring, and investigation with no punitive authority</p>	<p>Quarterly reporting with co-developed data on hiring, promotion of disadvantaged workers</p> <p>Quarterly meetings to evaluate progress and revise programs or plans as needed</p> <p>Private arbitration if non-compliant</p>
Consequence	<p>FCA noncompliant with 1 of 66 commitments regarding air quality and odor, which is being addressed with MI EGLE, the remaining 65 commitments regarding delivery of funds, programmatic support have been met</p>	<p>Continued Good Faith Efforts with New Flyer following reporting guidelines and meeting hiring and promotion goals</p>

Implications for Community Benefits Plan Process

Based on this comparative analysis, the CBP process needs to carefully consider and address 1) existing legal and political infrastructure that motivate a community benefits negotiation process, 2) stakeholders’ priorities, roles, resources, level of engagement, and 3) enforcement mechanisms, accountability, and outcomes that would result from the federal clean energy investments. The following section expands upon these considerations with additional insight from people involved in the negotiation process of the primary cases and those with expertise with broader CBA implementation, workforce development, and jobs.

1. Legal and Political Infrastructure

As demonstrated in the FCA and New Flyer cases, the primary motivation for these companies to enter a community benefits negotiation was to access public funding or subsidies. Detroit’s CBO required FCA to engage the impacted community and New Flyer sought to protect its customer relations with public purchasers by collaborating with labor-community groups. Similarly, federal requirements for community benefits through DOE funding is incentivizing companies to explore how to engage community members of the cities and neighborhoods where their operation would enter. Though this direction may not be motivated by benign and altruistic interests, it may arise from their growing awareness about their potential impact on neighborhoods and cities, especially those that may not have had similar scales of investment. A labor-community organizer noted,

“[Companies] know that there are going to be community problems that are created from their investments and from their construction. In many of these places, overnight, [they] will become the most powerful entity in the county or in the region, in these rural areas, especially.”

As companies explore what entails meaningful engagement, other policies that help define the enabling conditions for potential negotiation terms can be established. For instance, legal mechanisms for improving employment practices, job quality, and access to opportunities can be institutionalized to supplement requirements for any public or community engagement. Detroit's CBO exemplifies measures that lay the grounds for developers to engage the community. Beyond the CBO however, the city lacks other policies that may support or ease the implementation of key community interests such as higher wages, local or targeted hiring, and holistic workforce development strategies. In contrast, Los Angeles already had living wage ordinances or first source hiring policies that could not only complement the agreement provisions but also provide the institutional legitimacy that aided the agreement fulfillment. Beyond the New Flyer agreements, measures for diverse hiring were further institutionalized by funders like LA Metro that would help systemize more equitable hiring and workforce policies beyond this specific case.

Involvement of other key stakeholder resources could help fill the gaps in building this infrastructure. For connecting disadvantaged communities to job opportunities generated from the negotiated benefits, organized labor could play a significant role as a key stakeholder in the community benefits process. As explored through the cases and contextualized by interviews, organized labor has played a significant role in advocating for policies aimed at improving employment practices, job quality, and access to opportunities while applying their knowledge and experiences in contractual negotiations to ensure benefits to their members. What has been less explored is their role in connecting workers to new opportunities through training, recruitment, and other career pathways that are specifically tailored to disadvantaged workers in the energy sector. A labor scholar and organizer noted,

"[As manufacturing spreads to the south, our approach] needs to reflect something of the community and you need to include the community in the process and especially in the recruitment process. [...] It's not so much that we need more investment in things like heat pump installation training, there's an infrastructure that exists for that and the contractors have the work. [...] That's why that system of organized labor is so good for scaling up what we need, but where we're lacking is in getting people sort of bridged between those two spaces."

As such, establishing legal and political infrastructure to translate and scale out effective community benefits to policies or regulations could be considered in the overall strategy to maximize the benefits of such large-scale projects. The problem is not that the training or workforce development programs are deficient or are lacking funding but that these opportunities for training and jobs are excluded from members of communities that are most impacted by the development projects locating in or near them. Actors like labor unions have not always been successful in bridging this gap but including them in this broader infrastructure could enable them to redress their traditional tendencies and equitably expand opportunities. The establishment of such infrastructure is acutely needed in localities where these investments are becoming increasingly concentrated.

2. Engaging Stakeholders

In shaping these legal and political infrastructure, careful consideration of which and how stakeholders are engaged, the resources that could be leveraged, and additional capacities to coalesce varying interests and priorities is needed. Based on the community benefits negotiations that have been scanned, stakeholders that are typically involved in these processes include the developer, labor-community organizations, and governments if community benefits negotiations are required by law. The FCA case uncovered that the City's leadership, through organizing community meetings, appointing the NAC, communicating commitments to the developer, and assigning oversight duties to city agencies, inadvertently isolated communication between the developer and community members, intensifying skepticism towards the developer, city procedures, and the NAC itself. Nevertheless, the importance of public policy in incentivizing community engagement is emphasized in both cases. Though the FCA and New Flyer case position the role of government in starkly different manner, in which the latter utilized procurement policies to incentivize developers' engagement with community and change their business practices, the role of federal or local public policy in driving this interest across geographies is pronounced, as confirmed by a labor scholar and organizer,

“If we need to do this, then we need to do it in a way that's really serious and that becomes large scale public programming that is no cost upfront, no cost upfront for working class families.”

As such, the CBP is poised to serve a crucial role in incentivizing change in corporate practices in the clean energy sector. The critical question remains which stakeholders would be most apt to lead and coordinate the shaping, implementing, and enforcing the benefits. As explored through the New Flyer case, JMA had a wealth of knowledge about manufacturing worker issues and had deep ties with community organizations in the areas they targeted to affect New Flyer's corporate policies and behavior. By placing much of the responsibility to program and implement the terms of agreement to the developer, JMA and GBM were naturally positioned to take on coordinating and oversight roles over their CBAs.

“The New Flyer community benefits agreement is a really good example of how a coalition of labor unions and racial justice organizations, environmental justice organizations, and other groups in Alabama came together, spoke in one voice, were fortunate enough to have New Flyer listen, and we were able to negotiate a really strong, ambitious, community benefits agreement that addressed several issues that the community had been speaking up about on all kinds of different fora” - labor-community organizer

As exemplified by JMA, organizations that are positioned in the broader labor-community organizing coalitions have the network and relationships needed to consume the roles of coordination and facilitation. From having facilitated multiple CBAs and PLAs, an attorney also confirmed the advantage of situating labor and community together for advancing community benefits:

“The most effective coalitions have a good balance of labor and community reps. Labor unions are experienced in lobbying elected representatives and in the negotiation

process, which can be a critical resource for community organizers and can improve their advantage. However, unions may not be brought in or have made separate negotiations that undercut the rest of the coalition.”

This position leverages the existing roles that these organizations perceive to serve and aligns with their resources – social capital – while addressing their priorities, which may vary but typically include better jobs, neighborhood improvements, environmental and health considerations, and more. Accentuating their self-perception as primary conveners on varying issues, labor-community organizers can effectively bridge different interests and relationships, which is necessary for wide-ranging platforms like community benefits. Organized labor, specifically, have had deep history and experience in organizing workers and can contribute their experience in mobilization and organization to design advocacy strategies that can influence community benefits and policies that can influence community benefits processes. A labor coalition confirmed this position of organized labor and shared,

“We tend to be the convener and bridge builder. We don’t necessarily lead all those conversations but we would talk to one ally and ask if they had talked to another stakeholder. [...] Silos form and we try to be a silo buster [...] by authentically building relationships and understanding not just the policy interests of our partners but also their decision making, strategic approach, and how they want to play things out.”

What these organizations lack, however, are the resources – both financial and non-financial – to sustain their movement. However, as alluded earlier, comprehensive public programming could fill this need. Currently, the DOE provides support and resources like technical assistance to funding applicants, which tend to be businesses seeking public contracting opportunities. Whereas resources are provided to businesses, strategies for distributing these resources to labor-community organizations could be further developed by the government. As such, instead of only requiring companies to engage labor-community groups, the CBP process could encompass equipping these groups with financing or technical resources to successfully enter negotiations with the private sector. Additionally, government bodies can help create a more balanced representation of stakeholders in the negotiation process, considering geographic and sector diversity. Detroit had attempted this role by designing the engagement process and selecting a majority of the NAC representatives. However, this action, in turn, undermined community residents and trust among stakeholders.

Then what ought to be the right engagement process? Promoting community participation beyond mere engagement through federal policies and guidelines necessitates a holistic approach that goes beyond surface-level involvement. It involves empowering communities to actively shape decisions that affect their lives, fostering genuine collaboration, and ensuring equitable representation of diverse voices. This requires policies that prioritize meaningful inclusion, where communities are not just engaged but lead the decision-making processes. Moreover, it involves providing financial and other resources to institutionalize community-led initiatives. In discussing successful models of centering community-led initiatives in decision-making processes, a labor scholar and organizer noted suggested that,

“We need a constant evaluation, reevaluation, and then integration that eventually integrates the [community workforce development] program and dismantles silos among different government agencies that handle different parts of the workforce pipelines”

In reference to a community-led apprenticeship program that was eventually adopted by the City of San Francisco, this insight alludes to the possibility of positioning labor-community organizations as the primary designers and coordinators of the benefits that are negotiated from the community benefits process, whether they regard workforce development programs or creation of new processes for tracking and sharing data across stakeholders. Federal investments can be designed to not only transfer resources to private sector applicants but to labor-community organizations to strengthen their capacity and expand their roles in shaping their localities. As a result, community would be positioned not as passive recipients of information but as active agents in driving positive change in their neighborhoods and beyond.

3. Enforcement & Accountability

The key strength of the New Flyer CBA was that it was a legally binding agreement, indicating that any violation of the commitments could result in legal action, which would detrimentally affect the company’s positioning for public procurement opportunities. Similarly, one of the greatest weaknesses of the FCA benefits package is that its enforcement mechanism does not grant any punitive authority. Though the CBO process that FCA underwent was more transparent given that all related documents, monitoring reports, and communications needed to be publicized and thereby be kept accountable, enforcement mechanisms remained weak. The DOE’s CBP process similarly mirrors Detroit’s CBO in not requiring any agreements, as noted by a government official:

“No one strategy in the CBP is a requirement. [...] So they're not required to make a CBA. They're not required to make a PLA, and it sort of depends on the situation. [...] CBAs, CWAs, PLAs are kind of broad and they blur together at times, so there are a couple other options in the resource.”

Cush flexibility in the CBP is designed to spur ambitious, high-achieving goals that are not bound by standards that could ultimately serve as minimum thresholds. Given the agency’s desire to leverage flexibility to boost more innovative and ambitious approaches to maximizing community benefits, ensuring there are strong monitoring, enforcement, and accountability mechanisms could determine the success of the CBP process.

The current evaluation process in place - Go/No-Go Process – that allows the agency to withhold funding in case of non-compliance is an effective accountability tool. However, this process still centers the relationship between the developer and government agency. In evaluating CBP, co-designing data tracking and progress monitoring between developers and community could be prioritized as additional mechanisms for labor-community organizations to keep developers accountable. By distributing the power to hold projects accountable, processes to evaluate, course-correct, and redesign programmatic structure, timeline, and focus could be operationalized more holistically. Further, the implementation tool of the IRA are the tax

incentives that individuals or companies file through the IRS. Though the tax incentives constitute a bulk of the IRA investments, there are no procedures or mechanisms that the DOE can apply to require companies to engage in community benefits. Though there are bonus incentives for companies that contribute to good jobs or equity goals of the legislation, there are no means to collect data on their practices. A government official expressed concern over this gap, calling attention to a serious and careful consideration around how to tie in community benefits to monitoring tax credit recipients.

“But as it relates to IRA tax credits, which are creating more investments, we don't have any data on that. That's several hundred billions of dollars in investment in clean energy in the Inflation Reduction Act. Because they're tax credits, other than the 48C, if you [meet the requirements], you can claim the credit, and we wouldn't have that data on those.”

As years of implementation accrue, the agency can utilize the collected data from the various projects that have undergone the CBP process to address one of the biggest challenges for implementing community benefits – the discrepancy in enforcement and commitment specificities from project to project. As noted by someone who implemented workforce training programs related to CBA,

“Sometimes it means it won't drive opportunity beyond the kind of lowest entry level. [...] Some people aren't getting progressive skills to become more employable. [...] So you really need to have strategies that are sort of the carrot and the stick to be able to hold people responsible and hold the contractors responsible.”

The interviewee further suggested that good measuring systems and metrics would help improve accountability of community benefits outcomes. First, establishing a robust data and tracking system for contractor contributions to joint funds and community initiatives is crucial for ensuring transparency, accountability, and equitable outcomes in workforce development initiatives. Initially, leveraging existing data collection mechanisms such as certified payroll for prevailing wage can provide a foundation. However, the system should evolve to encompass a comprehensive range of metrics including contributions to training, community recruitment efforts, work safety measures, and workforce advancement programs. This necessitates envisioning scalability from individual firms to city, state, and eventually national levels, aggregating data for broader analysis and policy formulation.

Second, early contract outreach and education are essential to ensure contractors understand and comply with requirements from the outset, fostering a culture of accountability throughout the bidding and implementation processes. Moreover, convening stakeholders at various stages, from program design to redesign, based on accrued data and feasibility assessments, facilitates collaborative decision-making, and ensures alignment with community needs. An integrated coordinating body is indispensable for orchestrating these efforts and promoting synergies across different government agencies involved in workforce development pipelines, thereby dismantling silos, and promoting holistic approaches.

Ch.5 Conclusion

This research paper explored the conditions necessary for achieving equitable outcomes for workers and communities of color through the federal climate legislation by analyzing how labor-community organizations have shaped community benefits. The research has been positioned in the discourse of the political economy of energy transitions and how it shaped the modern fabric of urban, suburban, and rural economies in the US. It also tied the changes in these landscapes to the past and present histories of labor, significance of worker power, and the role of labor within broader community organizing efforts to advocate for equitable distribution of benefits from large-scale projects that often alter the power dynamics and nodes of decision-making in the geographies that receive investments.

Additionally, the paper underscores the importance of state and local implementation strategies to ensure the effective execution of climate initiatives. Engaging labor stakeholders emerges as a crucial aspect, emphasizing the need for their active involvement in policy advocacy and implementation, especially in regards to creating workforce development, advancement, equitable hiring practices, and tying community resources to shaping economic opportunities. By analyzing past community benefits models and comparing them to more recent examples with manufacturers from Los Angeles, CA and Detroit, MI, this research contributes to expanding knowledge about community benefits models that could inform federal guidelines on forming Community Benefits Plan. By connecting manufacturing CBAs to the CBP, this research aimed to highlight how federal investments for clean energy could spur local capacity to obtain greater shares of the benefits from emerging clean energy projects. Much of the analysis pivoted on implications for creating a legal and political infrastructure for supporting community benefits formation, implementation, and enforcement. It also hinged on the potential for labor-community organizations to lead the facilitation and coordination process and how the federal government could assist in providing the resources for coordination leadership.

The following sections provide specific recommendations for 1) organized labor to position itself in existing labor-community organizations and 2) federal government to channel resources for local governments to build a more robust infrastructure for community benefits implementation and enforcement. Then, the paper will finally conclude the limitations and how future research could address those limitations and expand the discourse and understanding around leveraging key stakeholder resources and power in clean energy projects to expand benefits for disadvantaged workers and communities.

Recommendations

This section draws implications from the case analysis for bolstering labor-community organizing in the South, especially as more large-scale clean energy projects will be established in the region.

Organized Labor: Strategies for Partnership and Coordination

Organized labor, including labor unions and nonunion groups like worker centers, can play a central role in shaping and implementing policies at the federal, state, and local levels. The set of recommendations below outline strategies for organized labor to be better situated in labor-community organizing efforts and coordinate key aspects of community benefits

implementation, including workforce development and jobs, sharing lessons and best practices for negotiation and advocacy, and expanding relationships to share resources and fill the gaps in the existing labor-community ecosystem.

1. **Leverage relationships across federal, state, and local levels to coalesce strategies for workforce development and equitable jobs access.** Organized labor plays a key role in working with managers to assess the skills needed for their workers and equipping workers with hard and soft skills necessary to be successful in their jobs. Unions, specifically, have a plethora of experience in operating registered apprenticeship programs, which are key fulfillments of the federal climate legislations and a crucial part of the career pathway that ensure workers gain access to jobs that would be created at these new facilities funded by clean energy investments. By working with their members, unions can help aggregate the needs of different sectors, industries, and companies across national, state, and local levels, provide the necessary training, and connect workers to the opportunities available. Preapprenticeship programs and other community-led job programs can complement this effort by being in frontline communities, assessing the skills and experiences available among their community members, and connecting them to unions or employers directly to access a more sustained career pathway. Preapprenticeship and other job training programs are embedded in and designed by community organizations, so may be more effective in connecting historically disadvantage communities to registered training programs. As such, more recognized forms of organized labor like unions can, in turn, invest in expanding their networks to include or support nonunion labor groups to be more inclusive of workers from disadvantaged communities.
2. **Engage and educate local unions on their role in CBPs and overall clean energy transition.** The DOE provides various technical assistance to applicants of their grant funding opportunities, especially since the funding government agency are not allowed to advise applicants on their proposals. As such, the DOE has engaged academic labor centers, consulting firms, or other advisory groups that could educate applicants with their CBP proposal. However, this resource is only available to the applicants, which tend to be the companies that intend to develop multi-scale facilities. Based on an interview with a provider of such technical assistance, applicant companies often struggle with finding the appropriate leverage points to engage local labor and community groups from identifying the key players to entering meaningful partnerships. Having had more experience working and negotiating with managers, local labor unions could play a key role in guiding these conversations; however, local labor unions may not be aware of the potential investment opportunities or what their role may be in the community benefits process. While federal and state-level unions may have more consolidated and unified strategy, local unions may require more support and resources to align with national and state-level labor priorities and leverage their position in their localities to reflect their priorities in the broader frame of community benefits. As such, labor unions need to emphasize the importance of labor's involvement in CBAs and providing support and resources for union participation in local community benefits processes to enhance their ability to advocate for workers' rights and interests.

3. **Establish coordination and resource allocation roles to partner in broader labor-community organizing efforts.** The assessment of how labor unions leveraged better wages and access to jobs for their members in the FCA negotiation and of the importance of JMA's partnership with labor unions, and worker centers in connecting and informing the community benefits provisions of the New Flyer agreements demonstrate that organized labor are apt for filling strategic coordinating roles in the community benefits process. CBAs specify commitments to be made by employers and firms to augment existing programs, recruit-hire-train-promote workers, and work collaboratively with coalition partners. These tasks, if absorbed by the firm, would require additional capacity that can coordinate and conduct these commitments, which would necessitate additional resources such as budget and staffing. Without specifying commitments on how these tasks will be carried out and how firms will make resources available - whether through their own funds, personnel, or partnerships with philanthropies and other WFD networks – actualizing these activities would be difficult or be stalled. In a broader context, having employers individually coordinate and execute these commitments yield negative and positive consequences. Individual firm practices can yield differential outcomes, potentially widening the gap between best and worst practitioners. To reduce or prevent this gap from arising, a coordinating body that can establish a somewhat uniform standard is needed. The role of JMA in facilitating, coalition-building, and overseeing the CBAs provide a prime example. By positioning itself in the broader labor-community coalition, aligning its campaign to existing concerns, and acting as an intermediary between the coalition and the firm with another key community-based organization, JMA executed critical coordinating roles.

In line with the above recommendation for organized labor to streamline national, state, and local WFD strategies and educating local unions about how they can participate community benefits processes, organized labor can bolster the implementation and enforcement of community benefits by coordinating the various priorities, resources, and relationships -- with which they have existing experience through localized histories of coalition-building and deep organizing. Though cities have kept this role, especially when community benefits processes are triggered by local law as in the case of the FCA CBA, their priorities to attract developer investments, balance other local needs like housing, and operate on traditional city hall conventions, city governments may not be best positioned to lead and coordinate these efforts. In fact, the Detroit government forbade or imposed barriers for developers from forming any agreements with non-government entities, which may directly oppose the interests of communities that are most directly impacted. On the other hand, the current design of the CBP process provides resources to applicants, who are often the developers, and rely on them to initiate community engagement. Though the community engagement process may give rise to labor-community groups to becoming the lead coordinating groups, it does not guarantee this power dynamic, especially when companies enter localities that have less established civic infrastructure and strong community coalitions.

In the context of missing resources and infrastructure that can level the participation and leadership of labor-community organizations in community benefits negotiations,

organized labor can play an acute role by leveraging their institutional power and further consider allocating their financial resources to enhance the capacity of existing community groups that comprise the localities they aim to enter. UAW's StandUp campaign to organize auto manufacturers in the Southeast, including a multi-million-dollar investment to bolster the southern worker exemplify how organized labor could play a substantial role in financing new strategies for worker power, which can contribute to strengthening existing local community organizing efforts.

Federal Government: Support Local Infrastructure for Community Benefits

As alluded by the FCA case, the government may not be best fit for coordinating the negotiation process, but it could play a significant role in building out the infrastructure for other actors to facilitate the process and provide the resources and mechanisms to enforce community benefits commitments. Though the CBP process is signaling positive impact for DAC, it is also criticized for having missed opportunities in community engagement and lacking concrete accountability measures. Specifically, the CBP process is not effective in reaching the hardest-to-reach communities and groups, largely due to the lack of dedicated resources encouraging and supporting CBP participation while the DOE is prohibited from financially supporting those applying for its competitive funding opportunities. In response, DOE has contracted a partnership intermediary and other institutions to provide technical assistance, but its effectiveness has yet to be measured. Additionally, still in the early stages of implementing the IRA and IIJA-funded programs and incentives, the DOE has yet to institutionalize a clear and transparent accountability and oversight measures over the CBP commitments. Addressing these issues, CBP can be used as an opportunity to strengthen the local legal, political, and civic infrastructure to center local-community organizations in keeping developers and government programs accountable.

- 1. Design CBP evaluation criteria to incentivize ambitious goals and strong monitoring and enforcement mechanisms.** Interviews with CBA negotiators and a review of relatively successful CBAs reveal that CBA hold more flexibility and accountability to include more ambitious measures, such as including ban-the-box requirements or embedding developer-community partnership more granularly, as they undergo private negotiations. Though no agreements are required of CBP guidelines, the lack of rigidity in how applicants can design their CBP allow for similar levels of flexibility in designing the provisions in CBP proposals. While it is known that CBP constitute about 20% of the technical review of the overall application, less is known about the specifics of how CBPs are evaluated. The Clean Air Task Force's recent review of the hydrogen hub CBP proposals (Appendix 3) help understand some standard measures upon which the DOE may have evaluated them. Among them, California Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES) CBP proposal has been highlighted as a strong, comprehensive application. In addition to making their proposal publicly available, an unlikely step for many applicants, ARCHES proposed their commitments to enter a PLA, cooperate with specific labor, EJ, and tribal nations, and specify who and how CBP advisory boards and governance would be formed. ARCHES CBP proposal exemplify how CBPs more highly weigh transparency, specificity and commitments that are relative the size and scale of the projects to improve CBP

implementation and enforcement as it aims to avoid establishing granular requirements that may unintentionally drive a race to the bottom.

- 2. Support local infrastructure for stronger community benefits governance, implementation, enforcement, and accountability.** While CBP is enforced, there could be a broader approach for using federal resources to aid local governments strengthen their capacity to govern community benefits processes. Through, government programming for CBP could expand to include liaising with key localities where investments are received and provide technical assistance or grants for them to review and redesign existing processes, budgets, policies, and organizational structure to create a more robust governance structure.

The first step to embolden local infrastructure would be to reviewing existing legal and political measures that bar local governments to addressing issues like local hiring, wages, and other employment or workplace practices. For instance, the federal local hiring ban was established to prevent any construction projects from unfairly favoring local companies ([Studenkov 2021](#)) but it hinders hiring of disadvantaged frontline communities. As such, provisions in public administrative rules, like the federal local hiring ban in procurement practices, need to be identified and strategies to reorient them to prioritize equitable distribution of benefits and opportunities need to be explored.

Similarly, through conditionalities or evaluation criteria for funding opportunities, federal resources could be divested to strengthening specific local conditions for community benefits. Specifically, local capacity to coordinate capital projects and potentially forthcoming clean energy projects – and how they connect with housing, transportation, greater infrastructure needed for new workforce and related economic, population growth in more adjacent areas – need to be supported. Where federal policies have shifted to move programs for job training and housing from the realm of federal-state government to poorly funded city and county governments, additional support for local governments need to be provided. Local governments and communities can rely on the private sector for this resource as presumed by the community benefits model, but there is a need for more uniform, institutionalized approach to hold those in control of capital accountable and sustain these models.

Other than direct technical or financial assistance for local governments, making these factors more pronounced in setting the CBP benchmarks could be an effective approach to tie hold developers more accountable. As local governments provide the subsidies, zoning variances, and approvals that developers need for operation, federal governments can better coordinate with local entities to withhold any benefit or funding in cases of non-compliance. Whereas the local resources could be leveraged to ensure the benefits are delivered as negotiate, federal regulations need to provide the oversight and strengthen enforcement mechanisms of the agreements.

For this oversight capacity, the federal government can play a key role in centralizing tracking systems at municipal levels given the difficulty in scaling to state and federal

levels. As local governments can harness data collection that best fit their local contexts, a broader strategy is needed to guide how varying data collection and aggregation methods could be consolidated for future national planning, especially in lieu of managing disaggregated data that is needed to inform understanding about disadvantaged communities.

Lastly, such federal efforts to strengthen local capacity need a keener focus on rural communities, where the civic infrastructure for local organizations, labor-manager relations skew towards firms, and minoritized communities have been disenfranchised historically. CBAs have been frequently used for large, multi-use urban redevelopment projects and addressed a wide range of impact and benefits that resulted in robust coalition-building among labor-community stakeholders, including housing and EJ advocates, labor unions, and other community-based organizations. Historically, urban areas have been more advantageously positioned to form these community-labor coalitions due to having stronger development markets and a denser base of constituents that can actively engage in the development processes and influence their political representatives more directly (Gross 2009). However, as public and private investments flow to rural localities in the South, where RTW states are more prevalent, additional support for these localities are needed.

- 3. Prioritize labor-community organizations for technical assistance and resources for community benefits.** In addition to a clear and well-written CBA, a well-mobilized community coalition that makes it difficult for developers to walk away from the agreement is crucial to enforcement. Public-sector involvement can also increase the likelihood that community benefits materialize. Government officials tied closely to both community groups and development projects are in a unique position to ensure the enforcement of CBAs. (PWF 2014). As discussed, as local union chapters could benefit from education on how they could be involved from state or national-level unions, community organizations could also benefit from technical assistance and resources. Currently, technical assistance on CBP is concentrated for funding applicant that tend to be business developers. Since these technical assistance programs are implemented by organizations that are aware of or experienced in labor-community organizing like academic labor centers, they could target both audiences and communicate strategies for the DOE to better target their key stakeholders.

Limitations & Recommendations for Future Research

As the clean energy transition progresses and reshape the built and natural environments, we need deeper and more careful consideration about how new investments will affect traditional power dynamics and political economy of how major resources at hand – energy resources, financial resources, institutional powers, and organizational processes – will affect the environment and communities living in it. This research sought to contribute to this growing knowledge base by focusing on community benefits process as a means to equitably distribute the powers that govern the access and use of these resources. Looking more specifically at jobs as wealth-building opportunities for historically disadvantaged groups, the role of organized

labor in community benefits processes have been acutely analyzed. However, there were several limitations in the research methods and framework that future research could address.

First, in the data collection process, the final interviewee list was not inclusive of all stakeholder perspectives. Most notably, no developers were represented in the interviews. Initially, major manufacturers that are poised to contribute significantly to the clean energy manufacturing sector, like Ford, Stellantis, and New Flyer, were contacted. However, they did not respond so the research had to rely on their public statements that was publicly available online. Incorporating their input from more in-depth conversations could help reveal their priorities and motivation for community engagement more clearly.

Second, this research is positions clean energy manufacturing as a key component of the clean energy transition. While this remains true, it alludes an assumption that its contribution to the clean energy transition may be transitive to its potential impact on climate change mitigation and environmental sustainability. It is important to note that, though changing the energy composition of the manufacturing industry would significantly contribute to reducing current reliance on fossil fuel and GHG emissions, the continual increase in manufacturing capacity opposes existing principles of degrowth, which have been argued as a necessity to constrain human impact on the limited carrying capacity of the natural environment and to eliminate harms for future generations. As such, clean energy manufacturing needs to be considered as a means to achieving the clean energy transition, not the ends for transforming manufacturing as a solution to environmental sustainability.

Lastly, as challenges for worker voice, representation, and unionization continue to persist, more in-depth investigation in how labor-community organizing, and community benefits are addressed in states and localities with acutely weak protection and consideration of workers and communities of color is needed. The New Flyer case analysis opens an opportunity to explore how such areas like Anniston, AL can be targeted through innovative organizing strategies to challenge efforts for worker suppression and discriminatory employment practices. Further research linking worker representation, racial equity, and clean energy sectors in the US South is urgently needed to properly guide current federal legislations.

References

- Aeppli, C and Wilmers, N. 2022. Rapid wage growth at the bottom has offset rising US inequality. *PNAS* 119(42): e2204305119. <https://doi.org/10.1073/pnas.2204305119>.
- Alquist, J. 2017. Labor Unions, Political Representation, and Economic Inequality. *Annual Review of Political Science* 20: 409-431. <https://doi.org/10.1146/annurev-polisci-051215-023225>.
- Ahlquist, J., Grumbach, J., Kochan, T. 2024. The Rise of the "Union Curious": Support for Unionization among America's Frontline Workers. PDF.
- Banks, L. 2024. 4 Things to Know About the EPA's Upcoming Car Emissions Standards. Center for American Progress. Online. https://www.americanprogress.org/article/4-things-to-know-about-the-epas-upcoming-car-emissions-standards/?utm_medium=email&utm_source=amprog_en&utm_campaign=default&utm_content=ene+nwl+01+20240405+ene-roundup+grp+1+x.
- Bartik, T. 2020. Using Place-Based Jobs Policies to Help Distressed Communities. *Journal of Economic Perspectives* 34(3): 99-127. doi: 10.1257/jep.34.3.99.
- Bazilian, M., Nakhooda, S. & Van de Graaf, T. 2014. Energy governance and poverty. *Energy Research & Social Science* 1: 217-225. <https://doi.org/10.1016/j.erss.2014.03.006>.
- Been, V. 2010. Community Benefits Agreements: A New Local Government Tool or Another Variation on the Exactions Theme? *University of Chicago Law Review* 77(1): Article 2. <https://chicagounbound.uchicago.edu/uclrev/vol77/iss1/2>
- Biondi, M. 2006. *To Stand and Fight: The Struggle for Civil Rights in Postwar New York City*. Cambridge: Harvard University Press.
- The Public Stake in Union Power. Edited by P. D. Bradley. (Charlottesville, Virginia: University of Virginia Press, 1959).
- Carley, S., Engle, C., Konisky, D. and Sullivan, S. 2019. Supporting Frontline and Vulnerable Communities in a Green New Deal. *Public Administration Review*. Online. <https://www.publicadministrationreview.com/2019/07/16/gnd17/>.
- Carley, S. and Konisky, D. 2020. The justice and equity implications of the clean energy transition. *Nature Energy* 5: 569-577. <https://doi.org/10.1038/s41560-020-0641-6>.
- CAP. 2018. *Blueprint for the 21st Century: A Plan for Better Jobs and Stronger Communities*. PDF. <https://www.americanprogress.org/wp-content/uploads/sites/2/2018/06/JobsBlueprint-report1.pdf>.

Chips and Science Act. 2022. H.R.4346 Public Law No. 117-167.
<https://www.congress.gov/bill/117th-congress/house-bill/4346>.

Clay, R. and Jones, S. R. 2009. Building healthy communities: a guide to community economic development for advocates, lawyers, and policymakers. American Bar Association.

Crain, M. and Metheny, K. 2014. Beyond Unions, Notwithstanding Labor Law 4. U.C. Irvine L. Rev. 561. <https://scholarship.law.uci.edu/ucilr/vol4/iss2/5>

Dayden, D. 2024. New Clean-Car Rule May Transform Unions in America. American Prospect. Online. <https://prospect.org/environment/2024-03-22-new-epa-clean-car-rule-transform-unions/>.

DOE. 2023. United States Energy Employment Report (USEER). PDF.
<https://www.energy.gov/sites/default/files/2023-06/2023%20USEER%20REPORT-v2.pdf>.

DOEa. 2024. Biden-Harris Administration Announces \$24 Million to Expand America's Clean Energy Workforce and Enhance Manufacturing Efficiency.
<https://www.energy.gov/articles/biden-harris-administration-announces-24-million-expand-americas-clean-energy-workforce>.

DOEb. 2024. Notice of Funding Opportunity for IAC Expansion - FAQ. https://assets-global.website-files.com/651600f8008c48e2051874f4/65f07f7cab5a5fb9bcece1e9c_IAC%20Expansion%20-%20FAQs%20-%20March%2012.pdf.

DOEc. 2024. Inflation Reduction Act Tax Credit Opportunities for Hydropower and Marine Energy. Online. <https://www.energy.gov/eere/water/inflation-reduction-act-tax-credit-opportunities-hydropower-and-marine-energy>.

DOEd. 2024. Community Benefits Plans 101. [PowerPoint slides]. Online.
<https://www.cesa.org/wp-content/uploads/Community-Benefits-Plans-101-Presentation.pdf>.

DOL. 2024. Fact Sheet #66A: Bipartisan Infrastructure Law. Online.
<https://www.dol.gov/agencies/whd/fact-sheets/66a>.

EPA Office of Transportation and Air Quality (OTAQ). 2023. Program Announcement: Multi-Pollutant Emissions Standards for Model Years 2027 and Later Light-Duty and Medium-Duty Vehicles. PDF. <https://nepis.epa.gov/Exe/ZyPDF.cgi?Dockey=P1017626.pdf>.

Equitable Detroit Coalition. 2018. Recommendations for Amendments: Detroit Community Benefits Ordinance. PDF.
https://detroitmi.gov/sites/detroitmi.localhost/files/migrated_docs/legislative-policy-reports/2018/CBO%20Amendments.pdf.

Field, M. 2023. It takes a community: Hydrogen hubs and Community Benefits Plans explained. Clean Air Task Force. Online. <https://www.catf.us/2023/11/takes-community-hydrogen-hubs-community-benefits-plans-explained/>.

Fouquet, R. 2016. Historical energy transitions: Speed, prices and system transformation. *Energy Research & Social Science* 22: 7-12. <https://doi.org/10.1016/j.erss.2016.08.014>.

Freeman, R. and Medoff, J. 1984. *What Do Unions Do*. N.Y. Basic Books.

Friedman M. and Friedman R. 1962. *Capitalism and Freedom*. Chicago: University of Chicago Press.

Galbraith J.K. 1956. *American Capitalism: The Concept of Countervailing Powers*. New York: Routledge.

Gallagher, J. 2019. FCA's Jeep assembly plant is coming to Detroit — but city may have paid too much. *Detroit Free Press*. Online. <https://www.freep.com/story/money/business/john-gallagher/2019/05/15/fcas-jeep-plant-detroit/1189064001/>.

Gallegos, B. and Pastor, M. 2024. Why the environmental justice movement should support the UAW organizing drive. *The Nation*. Online. https://www.thenation.com/article/activism/uaw-organizing-environmental-justice/?utm_source=substack&utm_medium=email.

Graff, M., Carley, S., Konisky, D. 2018. Stakeholder perceptions of the United States energy transition: Local-level dynamics and community responses to national politics and policy. *Energy Research & Social Science* 43:144-157. <https://doi.org/10.1016/j.erss.2018.05.017>.

Greenhouse, S. 2022. *Landmark Community Benefits Agreement with New Flyer Will Lift Workers in Two States*. The Century Foundation. Online. <https://tcf.org/content/commentary/landmark-community-benefits-agreement-with-new-flyer-will-lift-workers-and-communities-in-two-states/>.

Gross, J. 2008. *Community Benefits Agreements: Definitions, Values, and Legal Enforceability*. *Journal of Affordable Housing* 17(1-2). PDF. https://www.juliangross.net/docs/CBA_Definitions_Values_Enforceability.pdf.

Haggerty, J., Haggerty, M., Roemer, K., and Rose, J. 2018. Planning for the local impacts of coal facility closure: Emerging strategies in the US West. *Resources Policy* 57: 69-80. <https://doi.org/10.1016/j.resourpol.2018.01.010>.

Hampton. 2018. Trade unions and climate politics: prisoners of neoliberalism or swords of climate justice? *Globalizations* 15(4): 470–486. doi: 10.1080/14747731.2018.1454673.

Ho, W. 2008. Community Benefits Agreements: An Evolution in Public Benefits Negotiation Processes. *Journal of Affordable Housing & Community Development Law* 17(1): 7-34. <https://www.jstor.org/stable/25782802>.

ILR Climate Jobs Institute. 2023. Building an Equitable, Diverse, & Unionized Clean Energy Economy: What We Can Learn from Apprenticeship Readiness. PDF. https://www.ilr.cornell.edu/sites/default/files-d8/2024-01/ILR_CJI_Building%20an%20Equitable%20Diverse%20and%20Unionized%20Clean%20Energy%20Economy%20Report.pdf.

Inflation Reduction Act. 2022. H.R.5376 Public Law No. 117-169. <https://www.congress.gov/bill/117th-congress/house-bill/5376>.

Infrastructure Investment and Jobs Act, H.R.3684 Public Law No. 117-58. 2021. <https://www.congress.gov/bill/117th-congress/house-bill/3684/text>.

Katz, L., Roth, J., Hendra, R. and Schaberg, K. 2022. Why Do Sectoral Employment Programs Work? Lessons from WorkAdvance. *Journal of Labor Economics* 40(51). DOI: 10.1086/717932.

Katznelson, I. 2006. *When Affirmative Action was White: An Untold History of Racial Inequality in Twentieth-century America*. W.W.Norton & Company.

Larsen, J. King, B., Kolus, H., Dasari, N., Bower, G., and Jones, W. 2022. A Turning Point for US Climate Progress: Assessing the Climate and Clean Energy Provisions in the Inflation Reduction Act. Rhodium Group. Online. <https://rhg.com/research/climate-clean-energy-inflation-reduction-act/>.

Michigan EGLE. 2024. Stellantis Facilities (formerly FCA). Online. <https://www.michigan.gov/egle/about/organization/air-quality/facility-specific-info/stellantis>.

Muro, M., Maxim, R., Parilla, J., and de Souza Briggs, X. 2022. Breaking down an \$80 billion surge in place-based industrial policy. Brookings Institute. Online. <https://www.brookings.edu/articles/breaking-down-an-80-billion-surge-in-place-based-industrial-policy/>.

Melosi, M. 1987. Energy and Environment in the United States: The Era of Fossil Fuels. *Environmental Review* 11(3): 167-188. <https://doi-org.libproxy.mit.edu/10.2307/3984086>.

OCED 2023. Community Benefits Plans Overview. <https://www.energy.gov/sites/default/files/2023-09/OCED%20CBP%20101%20Factsheet.pdf>.

OCED. 2022. Guidance for Creating a Community Benefits Plan for Regional Direct Air Capture Hubs. <https://www.energy.gov/eere/water/inflation-reduction-act-tax-credit-opportunities-hydropower-and-marine-energy>.

- Osterman, P. 2022. How American Adults Obtain Work Skills: Results of a New National Survey. *ILR Review* 75(3): 578-607. <https://doi-org.libproxy.mit.edu/10.1177/00197939211018191>.
- Partnership for Working Families (PWF) and Community Benefits Law Center (CBLC). 2014. Delivering Community Benefits through Economic Development: A Guide for Elected and Appointed Officials. PDF. https://s3.amazonaws.com/proggov21-uploads/uploads/asset/asset_file/Community_Benefits_BeachPWF2014.pdf.
- Patterson, K., Ranahan M., Silverman, RM., Yin, L. 2017. Community benefits agreements (CBAs): a typology for shrinking cities. *International Journal of Sociology and Social Policy* 37(3): 231-247. doi: 10.1108/IJSSP-01-2016-0003.
- Powell, J. The New Southern Strategy. Othering & Belonging Institute. Online. <https://belonging.berkeley.edu/new-southern-strategy>.
- Prinz and Pegels. 2018. The role of labour power in sustainability transitions: Insights from comparative political economy on Germany's electricity transition. <https://doi.org/10.1016/j.erss.2018.04.010>.
- Rosado, R. 2020. The Role of Community Benefits Agreements in Increasing Equity and Inclusion. In M.L. Joseph & A.T. Khare (Eds.), *What works to promote inclusive, equitable mixed-income communities*, pp.355-366. Case Western Reserve University and Federal Reserve Bank of San Francisco.
- Rosenfeld, J. 2014. *What Unions No Longer Do*. Cambridge: Harvard University Press.
- Rosenfeld and Keyclamp. 2012. Organized Labor and Racial Wage Inequality in the United States. *American Journal of Sociology*. 117(5): 1460-1502. doi: 10.1086/663673.
- Scheiber, N. 2024, Big Labor Gamble: Push to Unionize Every US Auto Plant. *New York Times*. Online. <https://www.nytimes.com/2024/03/02/business/economy/uaw-auto-workers-union.html>.
- Simons, H. 1948. *Economic Policy for a Free Society*. Chicago: University of Chicago Press.
- Smil, V. 2016. Examining energy transitions: A dozen insights based on performance. *Energy Research & Social Science* 22: 194-197. <https://doi.org/10.1016/j.erss.2016.08.017>.
- Smith. 2023. New Data Show Clean Energy Investment Trends Across Congressional Districts. Center for American Progress. Online. <https://www.americanprogress.org/article/new-data-show-clean-energy-investment-trends-across-congressional-districts/>.

Sovacool, B. 2016. How long will it take? Conceptualizing the temporal dynamics of energy transitions. *Energy Research & Social Science* 13: 202-215.
<https://doi.org/10.1016/j.erss.2015.12.020>.

Sovacool, B., Burke, M., Baker, L., Kotikalapudi, C., and Wlokas, H. 2017. *Energy Policy* 105: 677-691. <https://doi.org/10.1016/j.enpol.2017.03.005>.

Studenkov, I. 2021. CTA, peer transit agencies urge Biden administration to end local hiring ban. *StreetsBlog Chicago*. Online. <https://chi.streetsblog.org/2021/03/04/cta-peer-transit-agencies-urge-biden-administration-to-end-local-hiring-ban>.

UAW Stand Up! Campaign. UAW. Online. Accessed on 15 April 2024.
<https://uaw.org/join/#vw>.

UC Berkeley Labor Center. 2022. Report for CA State Senator Dave Cortese on federal climate and infrastructure legislation. PDF.
<https://sbud.senate.ca.gov/sites/sbud.senate.ca.gov/files/Federal%20Research%20on%20IIJA%20IRA%20and%20CHIPS%20Final.pdf>.

Walls, M., Hines, S., and Ruggles, L. 2024. Justice40: Challenges, Opportunities, and a Status Update. *Resources for the Future*. Online.
<https://www.rff.org/publications/reports/implementation-of-justice40-challenges-opportunities-and-a-status-update/>.

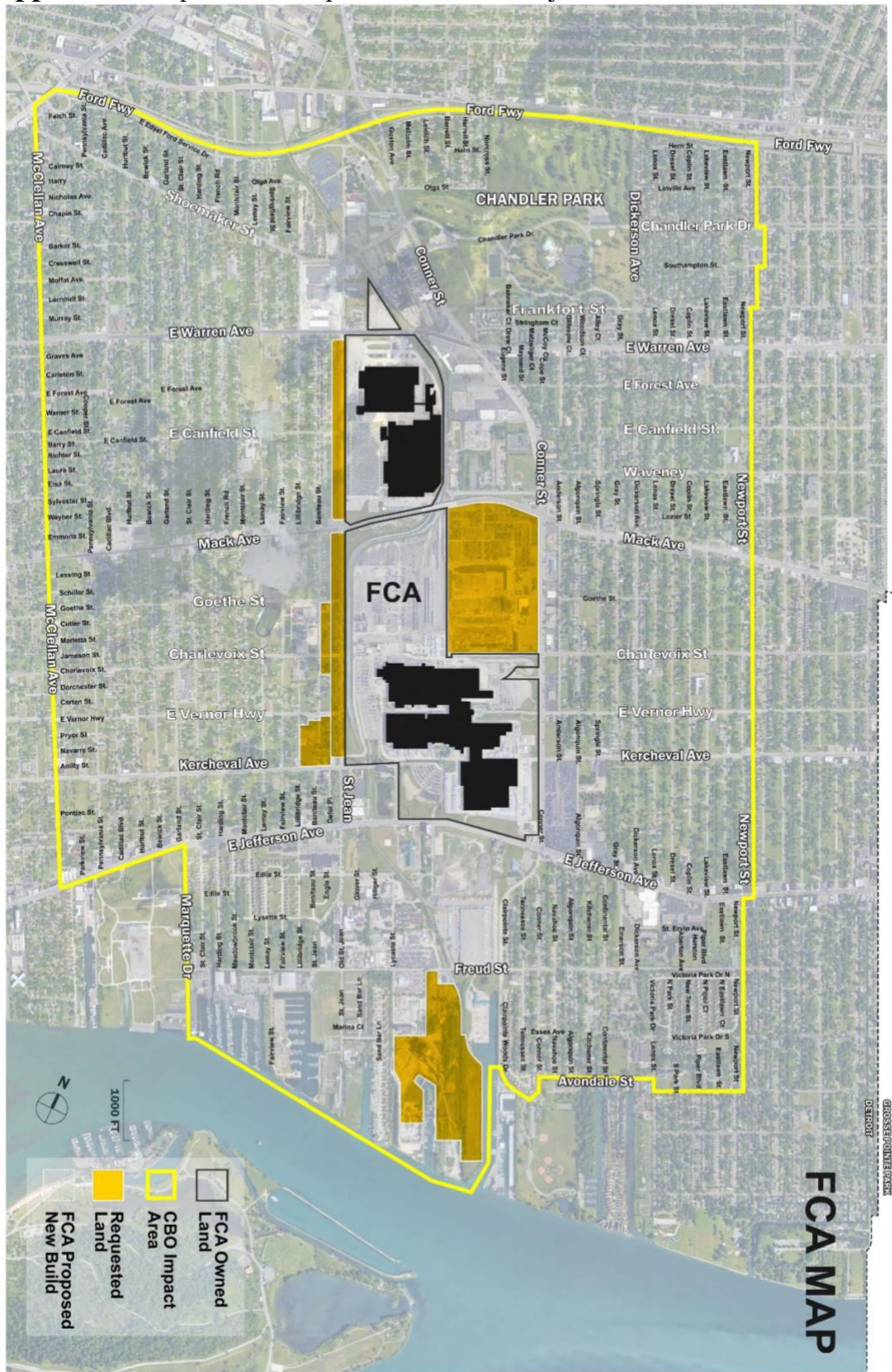
WHEJAC. 2022. WHEJAC Recommendations on Justice40 Implementation. PDF.
<https://www.epa.gov/system/files/documents/2022-08/WHEJAC%20J40%20Implementation%20Recommendations%20Final%20Aug2022b.pdf>.

Appendices

Appendix 1 List of Interviewee Organizations

Organization Type	Organization
Labor-Community Org	Jobs to Move America
	Emerald Cities Collaborative
	Emerald Cities Collaborative
Labor Coalition/Union	Climate Jobs National Resource Center
	BlueGreen Alliance
	Labor Network for Sustainability
	IUEO Member
Government	DOE Office of Policy
	DOE Office of Policy
Academia	Cornell Industrial Labor Relations School (ILR)
	UC Berkeley Labor Center
Attorney	Attorney (CBA & PLA specialization)

Appendix 2 Impact Area Map of Detroit FCA Project



Source: Detroit PDD (2019)

Appendix 3 CBP Proposals Across Regional Hydrogen Hubs

	Appalachia	California	Gulf Coast	Heartland Hub	Mid-Atlantic	Midwest	Pacific Northwest
	WV, OH, PA (ARCH ₂) Up to \$925M	(ARCHES) Up to \$1.2B	(HyVelocity H ₂ Hub) Up to \$1.2B	MN, ND, SD (HH:H) Up to \$750M	PA, DE, NJ (MACH ₂) Up to \$750M	IL, IN, MI (MachH ₂) Up to \$1B	WA, OR, MT (PNW H ₂) Up to \$1B
Jobs: Total, Construction, Permanent	Total: 21,000 Construction: 18,000 Permanent: 3,000	Total: 220,000 Construction: 130,000 Permanent: 90,000	Total: 45,000 Construction: 35,000 Permanent: 10,000	Total: 3,880 Construction: 3,067 Permanent: 703	Total: 20,800 Construction: 14,400 Permanent: 6,400	Total: 13,600 Construction: 12,100 Permanent: 1,500	Total: 10,000 Construction: 8,050 Permanent: 350
Project Labor Agreement	No	Yes	No		Yes		Yes; for all projects over \$1M
Workforce or Community Investment	Community Commitment Fund Quality jobs to coal community workers	Ensure training programs, career development, and high-road career opportunities are available to disadvantaged communities. No specific funding amount identified.	Support inclusive and equitable workforce development and community engagement. No specific funding amount stated.	Tens of millions for workforce training, apprenticeship programs, and K-12 STEM education Equity ownership opportunities for tribes, farmers & farmer co-ops	\$14M for regional Workforce Development Boards \$10M in technical & professional development	\$15M in wrap-around services for a worker education program	Labor & apprenticeship investment Hiring programs for former coal industry \$4M worker training center
Stakeholder Engagement Groups & Strategy	Maximize community stakeholder input	Labor, EJ, environmental, tribal nations Leaders	Work with community partners to address their concerns	Engaged with communities, tribes, and farmers to promote shared wealth	Engaged with communities and labor. Will recruit EJ & climate groups.	Engage disadvantaged communities to create high-paying, sustainable jobs	Meaningful engagement with stakeholders & tribal nations Involve communities based on location & impact potential
CBP Governance	Community Benefits Advisory Board Community input into benefits & siting	Labor, tribal, & environmental reps on board Involve local communities in decisions Independent CBP monitoring CBP scorecard	Community Advisory Board	CBP Advisory Board	Community Advisory Board and third-party verification	Community Benefits Advisory Working Group & localized advisory councils	CBP governing board reps from labor, environmental, & tribes
Tribal Nations		Rincon Band of Luiseño Indians partnership		Mandan, Hidatsa, and Arikara Nation partnerships for equity ownership	Create quality H ₂ hydrogen jobs for tribal communities		Chehalis & Cowlitz Indian Tribe on Board Ideally have tribal gov't as part of each hub Tribal engagement critical to hub planning and projects
Justice40	Reduce pollution in overburdened communities	Reduce air pollution to create health-related savings	Reduce local air pollution, including particulate matter		Air pollution reduction and brownfield mediation	Reduce emissions from industries in and near DACs	Ensure equitable distribution of energy and non-energy benefits from the H ₂ economy
DEIA	Create equitable workforce opportunities	Partner with DEIA businesses & institutions Require all projects advance DEIA	Partner with DEIA businesses	Hundreds of millions of dollars to DEIA business contracts	Partner with labor and minority serving institutions	40% subcontracted dollars to DEIA businesses \$30M for new startups through inclusive entrepreneurship program 45% diverse hiring target	Use tools that support participation DEIA businesses

Source: CATF (2023)