



October 31, 2025

Office of Environmental Justice & Equity
100 Cambridge St., 9th Floor
Boston, MA 02114

Via email to ej.inquiries@mass.gov

To the Office of Environmental Justice & Equity:

Please accept this written comment on behalf of our organizations, which collectively represent over 500,000 working people in Massachusetts. We write to give input on the draft standards and guidelines governing the potential use and applicability of Community Benefits Plans (CBPs) and Community Benefits Agreements (CBAs).

Key Stakeholders. We urge OEJE to include local labor councils and building trades councils as key stakeholders in the CBP and CBA negotiation process. While we value the inclusion of labor unions in the stakeholder mapping and community identification subsection, developers of clean energy projects are often not aware of the local labor and building trades councils throughout the Commonwealth. These councils represent local labor unions in each region and are the best avenues to establish relationships between prospective developers and the appropriate labor organizations.

Examples of Meaningful Commitments. Under the examples of meaningful commitments for large clean energy infrastructure facilities, we suggest including a recommendation to negotiate, in good faith, the appropriate labor agreements with the relevant labor organizations. As mentioned in the Emerald Cities Step-By-Step Guide to Creating a Community Benefits Plan, meaningful labor and economic inclusion standards are typically codified through a Project Labor Agreement or other negotiated agreements with labor unions.^{1,2}

Project Labor Agreements for Construction. PLAs create forums for workers to negotiate decent wages and safe working conditions on the construction of a

¹ Emerald Cities Collaborative. (2024, April). *The People's JUSTICE40+ Community Benefit Playbook: Step-by-step guide to creating a community benefit plan* (Chapter 9). <https://emeraldcities.org/wp-content/uploads/2024/04/J40-Playbook-Ch-9.pdf>

² For example, the recent ARCHES Community Benefits Plan proposal out of California would require Project Labor Agreements on all construction, and includes commitments to adhere to collective bargaining agreements, collectively bargained procedures, and to "protect workers' free and fair chance to form or join unions and exercise collective voice." Alliance for Renewable Clean Hydrogen Energy Systems (ARCHES). (2023, November) *Community Benefits Proposal/Overview* [PDF]. https://archesh2.org/wp-content/uploads/2023/11/ARCHES_CB_PROPOSAL_for-release.pdf

project, and they have been found to not increase overall project costs.^{3,4} They also guarantee a sufficient workforce to complete a project, and often include benchmarks for workforce diversity, local hires, and access to apprenticeship and pre-apprenticeship programs. The “Economic Development & Workforce” recommendations for Large Clean Energy Infrastructure Facilities should include “Use Project Labor Agreements for construction of projects.”

Labor Peace Agreements for Operations. Under the examples of meaningful commitments for both large and small clean energy infrastructure facilities, we urge OEJE to recommend labor peace agreements, which allow for a free and fair organizing process for employees if they choose to form or join a union and ensure smooth workplace operations after a project is constructed. They promote fair pay and benefits for workers within our communities.

For example, the 2016 agreement between the Milwaukee Bucks and Alliance for Good Jobs regarding the construction and development of the Bucks’ new arena included a labor peace provision that ensured the arena’s service and hospitality workers had a free and fair path to organizing without employer interference and a guarantee for a first contract.⁵ In 2019, a year after the arena opened, those workers successfully unionized and secured their first collective bargaining agreement in 2020. The union contract was renegotiated in 2023 and included double digit wage increases.⁶ The creation of these high-quality union jobs was significantly aided through the labor peace provision included in the original CBA.

In addition, we suggest OEJE should change the recommendation of funding workforce training centers or pre-apprenticeship programs in clean energy careers to a recommendation to utilize already existing registered apprenticeship programs and pre-apprenticeship programs. There are more than 40 registered apprenticeship programs throughout the Commonwealth that are self-funded by unions and contractors, and many pre-apprenticeship programs that partner with apprenticeship programs to provide pathways to family-sustaining careers.⁷ Rather than spending money standing up new programs, municipalities and developers should commit to

³ Philips, P., & Waitzman, E. (2017, January 9). *Project Labor Agreements and bidding outcomes: The case of community college construction in California*. UC Berkeley Labor Center.

<https://laborcenter.berkeley.edu/project-labor-agreements-and-bidding-outcomes/>

⁴ Philips, P., & Littlehale, S. (2015, September). *Did PLAs on LA affordable housing projects raise construction costs?* Working Paper No. 2015-03, Department of Economics, University of Utah. https://economics.utah.edu/research/publications/2015_03.pdf

⁵ Milwaukee Bucks LLC & Alliance for Good Jobs. (2016, May 12). *Agreement between Milwaukee Bucks LLC and Alliance for Good Jobs* [PDF]. Henry W. Fowler Public House. <https://climate.law.columbia.edu/sites/climate.law.columbia.edu/files/content/CBAs/Agreement-Between-Milwaukee-Bucks-LLC-and-Alliance-for-Good-Jobs-1.pdf>

⁶ Aquiles-Sanchez, P., & Dresser, L. (2024, March 1). *From community benefits, to collective bargaining, and back: Building worker power in Milwaukee* [Report]. High Road Strategy Center. <https://highroad.wisc.edu/wp-content/uploads/sites/2056/2024/03/From-Community-Benefits-to-Collective-Bargaining-and-Back.pdf>

⁷ Massachusetts Executive Office of Labor & Workforce Development. (2018, June). *Apprenticeship expansion in Massachusetts: Strategic plan*. <https://www.mass.gov/doc/apprenticeship-expansion-plan-2018-0/download>

using existing programs, which would, in turn, allow those programs to admit more apprentices and train more workers.

Further, under the examples of meaningful commitments for small clean energy infrastructure facilities, we suggest that OEJE add a recommendation to prioritize the utilization of contractors that pay prevailing wages and utilize registered apprenticeship programs, consistent with G.L. c. 25A, § 21, subsection (o), added in *An Act Promoting a Clean Energy Grid, Advancing Equity and Protecting Ratepayers*, which states that “The department shall give added weight to applicants that demonstrate compliance with the provisions of 26 to 27F, inclusive, of chapter 149, and have a history of participation with state or federally certified apprenticeship programs.”⁸ While in certain instances PLAs may not be appropriate for a small clean energy infrastructure facility, wage and apprenticeship standards would ensure that all clean energy projects create high quality, family-sustaining careers. These standards would also help create community trust in clean energy projects by increasing the likelihood of safe, well-built, and successful projects, and by providing good, local jobs for residents.

Last, CBAs or CBPs should ensure that the developer is using high-quality contractors that set “specific goals for the utilization of minorities, women and veterans,” similar to the requirements for a gaming license under MA law,⁹ and that the contractors have not violated safety and antidiscrimination laws, consistent with *An Act Promoting a Clean Energy Grid, Advancing Equity and Protecting Ratepayers*, G.L. c. 25A § 21, subsection k.¹⁰

Thank you for your consideration. We look forward to engaging further in this process and in upcoming opportunities for public comment.

Sincerely,

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President, Massachusetts AFL-CIO

Frank Callahan
President, Massachusetts Building Trades Unions

Ryan Murphy
Executive Director, Climate Jobs Massachusetts Action

⁸Massachusetts General Laws ch. 25A, § 21 (Mass. 2024).

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter25A/Section21>

⁹ G.L. c. 23K Section 15: Criteria for eligibility to receive gaming license. See subsection 16.

<https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter23K/Section15>

¹⁰ Massachusetts General Laws ch. 25A, § 21 (Mass. 2024). <https://malegislature.gov/Laws/GeneralLaws/PartI/TitleII/Chapter25A/Section2>. See certification and disclosure requirements.