

HOUSE No. 4439

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, February 29, 2024.

The committee on Labor and Workforce Development, to whom were referred the petition (accompanied by bill, Senate, No. 1179) of Paul R. Feeney, Paul W. Mark, Walter F. Timilty, Michael D. Brady and other members of the General Court for legislation relative to a just transition to clean energy, the petition (accompanied by bill, Senate, No. 1180) of Paul R. Feeney, Paul W. Mark, Walter F. Timilty, Michael D. Brady and other members of the General Court for legislation relative to clean energy workforce standards and accountability, the petition (accompanied by bill, House, No. 1864) of Marjorie C. Decker and others relative to clean energy workforce standards and accountability, and the petition (accompanied by bill, House, No. 1865) of Marjorie C. Decker and others relative to the transition to clean energy and the training of employees on alternative energy generation and distribution, reports recommending that the accompanying bill (House, No. 4439) ought to pass.

For the committee,

KIP A. DIGGS.

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The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act relative to a just transition to clean energy.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 1E of Chapter 164 of the General Laws is hereby amended by
2 adding the following subsection:-

3 (d) The department shall require each company engaged in the sale or distribution of gas
4 as part of performance based ratemaking, to submit a just transition plan, which must be
5 approved by the department, to address workforce development, maintenance, and attrition, and
6 provide for the following:

7 1. A detailed proposed chronology for transition to net zero emissions energy supply and
8 distribution to be set through performance based ratemaking;

9 2. Sufficient in-house staffing levels, in each relevant classification, to ensure the safety
10 and reliability of the gas company’s pipeline through the projected transition period, including
11 but not limited to, map and record accuracy;

12 3. Training and workforce development plans providing for gas company workforce
13 needs on residual natural gas and electric as well as alternative energy sources, generation and
14 distribution infrastructure utilized by the gas company to replace and/or complement natural gas;

15 4. Any and all mitigation measures to address the impacts of transition on the gas
16 company's workforce over the course of the performance based review;

17 5. In the event of the gas company's anticipated substantial partial or complete cessation
18 of gas operations in Massachusetts during the period in which performance based review is
19 effective:

20 a. Means by which the gas company, and/or its parent corporation intends to avoid
21 burdening the commonwealth, ratepayers, or taxpayers with the social welfare costs resulting
22 from such cessation;

23 b. Measures to ensure the solvency of the local distribution company pension system
24 during and after transition;

25 c. Measures to stem the displacement of local distribution company employees
26 unemployed as a result of transition from the Massachusetts energy sector.

27 6. This subsection shall apply to any distribution, transmission, and gas company
28 organized and doing business in the commonwealth pursuant to the provisions of chapter 164,
29 including any successor company engaged in dual-fuels, joint ventures with renewable energy
30 generators/distributors, or alternative energy companies.

31 7. Nothing in this section shall prohibit or supplant the local distribution company's
32 collective bargaining obligations relative to the National Labor Relations Act.

33 SECTION 2. Section 1E of Chapter 164 of the General Laws is hereby amended by
34 striking out, in subsection (b), in line 19 and 27, the date “November 1, 1997” and inserting in
35 place thereof the following date:- January 1, 2022

36 SECTION 3. Section 145 of Chapter 164 of the General Laws is hereby amended by
37 amended by inserting, in subsection (b), as appearing in the 2020 Official Edition, the following
38 words:- :-

39 This plan shall include, but not be limited to, provisions to ensure the gas company trains
40 a sufficient skilled workforce to repair and maintain the safety and reliability of its pipeline for
41 the duration of its useful life, until and including its retirement or re-purposing for alternative
42 use.

43 SECTION 4. Section 145 of Chapter 164 of the General Laws is hereby amended by
44 amended by inserting, in subsections (c), as appearing in the 2020 Official Edition, the following
45 words:- :-

46 ; and (vii) how the gas company intends to utilize its in-house workforce and outside
47 contractor crews, respectively, to perform construction; (viii) all oversight and quality assurance
48 measures implemented by the gas company on construction during the course of the plan; (ix) all
49 funds to be expended on training for its in-house on the construction and maintenance of its
50 pipeline; (x) any plans for the utilization of pipeline to satisfy the commonwealth’s net zero
51 emissions goals and aggregated data reflecting the projected impact of the plans on the
52 commonwealth’s net zero emissions goals;

53 SECTION 5. Chapter 23 of the General Laws, as appearing in the 2020 Official Edition,
54 is hereby amended by adding the following section:-

55 Section 26. Just Transition to Clean Energy

56 (a) Within the executive office of labor and workforce development, there shall be a just
57 transition office. The office shall ensure that workers employed in the energy sector who are
58 displaced due to efforts by the commonwealth or the private sector to reduce greenhouse gas
59 emissions or transition from fossil fuels to clean energy have access to employment and training
60 opportunities in clean energy industries and related fields. The just transition office shall also
61 work with clean energy businesses to ensure they act as responsible employers to further the
62 commonwealth's workforce and economic development goals. The just transition office shall
63 also work to increase access to employment and training opportunities in clean energy industries
64 and related fields for residents of environmental justice communities.

65 (b) The secretary of labor and workforce development shall appoint the director of the
66 office.

67 (c) There shall be a just transition advisory committee consisting of: (i) the director of the
68 just transition office; (ii) the secretary of labor and workforce development, or their designee;
69 (iii) the commissioner of the department of energy resources, or their designee; (iv) the secretary
70 of the executive office of energy and environmental affairs or their designee; (v) a representative
71 of employers in the gas utility sector appointed by the governor; (vi) a representative of
72 employers in the electric power generation sector appointed by the governor; (vii) a
73 representative of employers in the renewable electricity sector appointed by the governor; (viii) a
74 representative of employers in the energy efficiency sector appointed by the governor; (ix) a
75 representative of employers in the clean transportation sector appointed by the governor; (x) a
76 representative of employers in the clean heating sector appointed by the governor; (xi) a

77 representative of employees in the gas utility sector appointed by the president of the
78 Massachusetts AFL-CIO; (xii) a representative of employees in the electric power generation
79 sector appointed by the president of the Massachusetts AFL-CIO; (xiii) two representatives of
80 employees in the clean energy sector appointed by the president of the Massachusetts AFL-CIO;
81 (xiv) a representative of employees in the transportation sector appointed by the president of the
82 Massachusetts AFL-CIO; (xv) the president of the Massachusetts Building Trades Council or a
83 designee, and (xvi) two representative of environmental justice communities appointed by the
84 Secretary of the executive office of energy and environmental affairs.

85 (d) The committee shall be tasked with developing a just transition plan for the energy
86 sector that identifies workers currently employed in the sector by industry, trade, and job
87 classification, and contains relevant information including, but not limited to, current wage and
88 benefit packages and current licensing, certification and training requirements. The committee,
89 through the just transition plan, shall recommend education and training programs to enhance re-
90 employment opportunities within the energy sector, and services to support dislocated workers
91 displaced from jobs within the energy sector as a result of emissions-reducing policies and
92 advancements in clean energy technology. The just transition plan shall also recommend actions
93 to increase opportunities for residents of environmental justice communities to work in clean
94 energy industries.

95 (e) The just transition plan shall include provisions to:

96 (i) educate dislocated workers, in collaboration with employers of dislocated workers and
97 relevant labor unions, on re-employment or training opportunities.;

98 (ii) provide training, cross-training, and re-training to workers displaced by gas
99 infrastructure loss in the commonwealth’s local distribution companies and related businesses;

100 (iii) address the workforce development challenges of the fossil fuel energy sector’s
101 shrinking workforce over the course of the commonwealth’s transition to a clean energy
102 economy;

103 (iv) incentivize the hiring of displaced energy sector workers with utilities, clean energy
104 industries, and related industries;

105 (v) collaborate with the Massachusetts Clean Energy Center to ensure that training and
106 employment opportunities for displaced energy sector workers are included in their initiatives,
107 incentives, funding opportunities, and projects;

108 (vi) collaborate with the department of public utilities and other agencies regulating the
109 energy sector within the commonwealth to coordinate just transition initiatives, complementing
110 the other regulatory priorities of those agencies;

111 (vii) evaluate options for the establishment of a fund to implement the just transition plan
112 and its components, including potential sources for sustainable short-term and long-term
113 funding;

114 (viii) develop requirements, including the submission of a workforce transition plan, for
115 energy sector employers that are closing a facility or significantly reducing their workforces as a
116 result of efforts by the commonwealth or the private sector to reduce greenhouse gas emissions
117 or transition from fossil fuels to clean energy;

118 (ix) identify employers in the energy sector involved or likely to be involved in
119 transitional steps away from fossil fuels and establish requirements and procedures for
120 submission of employee counts and classifications to the office; and

121 (x) increase access to employment and training opportunities in clean energy industries
122 and related fields for residents of environmental justice communities.

123 (f) Employers described in paragraph (ix) of subsection (e) shall submit a workforce
124 transition plan to the office. Workforce transition plans shall be subject to section 10 of chapter
125 66 and shall include:

126 (i) the reasons for the workforce reduction or facility closure;

127 (ii) the total number of workers by job classification and by geographic assignment
128 employed by the employer;

129 (iii) the total number of workers whose existing jobs who will be retained, by job
130 classification and geographic location;

131 (iv) the total number of workers whose existing jobs will be eliminated by the workforce
132 reduction or the closure of a facility, by job classification and geographic location;

133 (v) whether each classification of workers whose jobs are being eliminated will be
134 offered employment in any other job classification or capacity by the employer; how many
135 employees in each classification will be offered employment; and whether the replacement
136 employment offered will provide comparable wages, benefits, and working conditions;

137 (vi) whether the employer is offering severance or early retirement benefits to impacted
138 workers; the value of the severance or early retirement benefits; whether the severance or early

139 retirement benefits are being provided to all or certain classes of workers; and how many
140 impacted workers intend to utilize these offerings;

141 (vii) whether the employer plans to transfer the work to a separate facility, enter a
142 contracting agreement for work previously performed by company employees, or otherwise
143 outsource work previously performed by company employees; and

144 (viii) whether the employer is a recipient of loans, grants, tax increment financing, or any
145 other financial incentive from the commonwealth, its independent state agencies, departments, or
146 corporations, or any municipality within the last five years.

147 SECTION 6. Chapter 25A of the General Laws, as appearing in the 2020 Official
148 Edition, is hereby amended by adding the following section:

149 Section 18A. Clean Energy Workforce Standards and Accountability Act

150 (a) For the purposes of this section, the following words shall, unless the context
151 clearly requires otherwise, have the following meanings:

152 “Applicant”, (1) any natural person or business, whether or not incorporated or
153 unincorporated, who seeks a contract to provide labor or services under this Chapter, and
154 employs another to work in the commonwealth, or contracts with another natural person or
155 business to do so to perform labor, services or otherwise assist in the completion of a project,
156 under a contract, grant, subsidy, or any other arrangement funded in part or in the whole by the
157 commonwealth, or its departments, offices, agencies, subdivisions, and quasi-public agencies,
158 including, but not limited to public authorities, subject to said chapter 150A by chapter 760 of
159 the acts of 1962; and (2) any Public Utilities that are regulated under M.G.L. c. 164. This

160 definition excludes: (1) the United States or a corporation wholly owned by the government of -
161 the United States; and (2) a public utility, but only when employing workers directly to perform
162 construction and maintenance and other operational duties on its utility infrastructure and
163 buildings.

164 “Project”, initiatives of the commonwealth and its departments, offices, agencies,
165 subdivisions, and quasi-public agencies, including, but not limited to public authorities, subject
166 to said chapter 150A by chapter 760 of the acts of 1962, modernizing and expanding the capacity
167 of its existing energy infrastructure, providing climate change remediation, and/or developing
168 renewable energy generation, transmission and distribution, in furtherance of meeting the
169 commonwealth’s net zero emissions goals.

170 “commonwealth”, the commonwealth and its departments, offices, agencies, political
171 sub-divisions, and quasi-public agencies, including but not limited to quasi-public agencies
172 subject to said chapter 150A by chapter 760 of the acts of 1962 and any quasi-public independent
173 entity and any authority or body politic and corporate established by the general court to serve a
174 public purpose.

175 “Environmental justice population”, shall have the same meaning as defined in section 62
176 of chapter 30.

177 “Municipality at high risk from the effects of climate change”, a municipality that can
178 demonstrate to the department current or future significant changes to its population, land use or
179 local economy resulting from changes in climate.

180 “Labor peace agreement”, an agreement between an entity and any labor organization
181 recognized under the National Labor Relations Act, referred to in this Act as a bona fide labor

182 organization, that prohibits labor organizations and members from engaging in picketing, work
183 stoppages, boycotts, and any other economic interference in exchange for that entity agreeing not
184 to disrupt efforts by the bona fide labor organization to communicate with, and attempt to
185 organize and represent, the entity’s employees. The agreement shall provide a bona fide labor
186 organization access at reasonable times to areas in which the entity’s employees work, for the
187 purpose of meeting with employees to discuss their right to representation, employment rights
188 under State law, and terms and conditions of employment. This type of agreement shall not
189 mandate a particular method of election or certification of the bona fide labor organization.

190 “Energy infrastructure”, refers to but is not limited to Massachusetts existing energy
191 industry infrastructure generating, transmitting, and distributing energy from fossil fuel sources,
192 building energy efficiency improvements, and renewable energy infrastructure.

193 "Public Utilities", utilities that are regulated under M.G.L. c. 164.

194 “Supply chain facilities”, refers to but is not limited to businesses that perform material
195 extraction, refining, processing, fabrication, manufacturing, and assembly of components for
196 renewable energy projects.

197 (b) Every Request for Proposals Grant Application, or Solicitation offering funding
198 from the commonwealth or other public entity enumerated above for the purpose of furthering
199 the commonwealth’s net zero emissions goals in any manner for all commercial projects and
200 residential projects in excess of three units, shall be performed in conformance with sections 26-
201 27D of chapter 149, inclusive, and shall include the certification and disclosure requirements
202 included in this Section.

203 (c) To be awarded funding or contracts by the commonwealth, applicants shall provide
204 complete and accurate responses and disclosures shall include:

205 1. documentation reflecting the applicant's demonstrated commitment to workforce
206 development within the commonwealth;

207 2. a statement of intent concerning efforts that it and its contractors and sub-contractors
208 will take to promote workforce development on the project if successful;

209 3. documentation reflecting the applicant's demonstrated commitment to economic
210 development within the commonwealth;

211 4. a statement of intent concerning efforts that it and its contractors and sub-contractors
212 on this project will take to promote economic development on the project if successful;

213 5. documentation reflecting the applicant's demonstrated commitment to expand
214 workforce diversity, equity, and inclusion in its past projects within the commonwealth;

215 6. a statement of intent concerning efforts that it and its contractors and sub-contractors
216 on this project, will undertake to expand workforce diversity, equity, and inclusion on the project
217 if successful;

218 7. a disclosure on whether it and each of its contractors and subcontractors on this
219 project, have previously contracted with a labor organization, as defined by Massachusetts
220 General Laws, c. 150A and/or the National Labor Relations Act, Section 2, in the commonwealth
221 or elsewhere;

222 8. a statement of whether it and each of its contractors and subcontractors on this project
223 participates in a state or Federally certified apprenticeship program and the number of

224 apprentices the apprenticeship program has trained to completion for each of the last five (5)
225 years;

226 9. a statement of intent concerning the extent to which the Applicant, its contractors and
227 sub-contractors on this project, intend to utilize apprentices on the project if successful;

228 10. certification that the applicant and its contractors and sub-contractors on this project,
229 have complied with Massachusetts General Laws Chapters 149, 151, 151A, 151B, and 152
230 and/or 29 U.S.C. § 201, et seq. and Federal anti-discrimination laws for the last three (3)
231 calendar years;

232 11. certification that the applicant and its contractors and sub-contractors on this project
233 are currently, and will remain, in compliance with Massachusetts General Laws Chapters 149,
234 151, 151A, 151B, and 152 and/or 29 U.S.C. § 201, et seq. and Federal anti-discrimination laws
235 for the duration of the project;

236 12. detailed plans for assuring labor harmony during all phases of the construction,
237 reconstruction, renovation, development and operation of the project.

238 To the extent the applicant, or one of its contractors or sub-contractors on the project
239 cannot meet the certification requirements provided for in Paragraphs 10 and 11, the applicant
240 must submit proof of a wage bond or other comparable form of insurance in an amount equal to
241 the aggregate of one year's gross wages for all workers projected to be employed by the
242 applicant, contractor, or sub-contractor for which certification is unavailable, to be maintained
243 for the life of the project.

244 (d) Every request for proposals, solicitation and/or advertisement for funding, issued by
245 the commonwealth under this Chapter shall notify Applicants that they will be disqualified from
246 this project if they have been debarred by the federal government or commonwealth for the
247 entire term of the debarment.

248 (e) All applicants shall timely provide the above documentation and certifications as part
249 of their initial application. Failure to provide the same shall disqualify the applicant from
250 receiving funding for the project on which funding has been requested.

251 (f) A successful applicant's good faith failure to provide complete, accurate certifications
252 and documentation under Subsection a of this Section shall result in suspension from the project
253 for a period of 30 days, to provide an opportunity for the applicant to address application
254 deficiencies to the satisfaction of the commonwealth. Failure to cure deficiencies, thereafter,
255 shall result in termination. A successful applicant's willful failure to provide accurate
256 certifications and documentation shall result in permanent termination from the project and the
257 return of all funds awarded therefor within 30 days.

258 (g) The Attorney General shall enforce the provisions contained herein and may enact
259 regulations consistent therewith.

260 (h) Owners of supply chain facilities that provide goods and services to be used in the
261 construction and maintenance of renewable energy generation, distribution, and transmission
262 infrastructure, which are developed in part or in whole with public funding, shall agree to enter
263 into fully executed labor peace agreements with a bona fide labor organization that actively
264 represents or seeks to represent employees as permitted by Federal law.

265 SECTION 7. Chapter 149 of the General Laws, as appearing in the 2020 Official Edition,
266 is hereby amended by adding the following three sections:-

267 Section 27I. All construction, reconstruction, installation, alteration or repair on natural
268 gas utility infrastructure, including, but not limited to, pipelines, mains, services and other
269 infrastructure: (1) requiring the excavation, construction, reconstruction of public lands, rights of
270 way, public works, or buildings and (2) not performed by workers directly employed by Public
271 Utilities, as defined by M.G.L. c. 164, shall be performed and procured under this section of
272 chapter 149.

273 No public authority, including, but not limited to, the commonwealth, its subdivisions, a
274 county, or a municipality, shall permit or agree to pipeline construction, reconstruction,
275 installation, alteration or repair work by a gas distribution company requiring the excavation,
276 alternation, reconstruction, or repair of public lands, works, or buildings unless said agreement
277 contains a stipulation requiring prescribed rates of wages, as determined by the commissioner, to
278 be paid to individuals performing pipeline construction who are not gas company employees.

279 Any such approval which does not contain said stipulation shall be invalid, and no
280 construction may commence thereunder. Said rates of wages shall be requested of said
281 commissioner by said public official or public body together with the gas local distribution
282 company on whose service territory the public infrastructure lies, and shall be furnished by the
283 commissioner in a schedule containing the classifications of jobs, and the rate of wages to be
284 paid for each job. Said rates of wages shall include payments to health and welfare plans, or, if
285 no such plan is in effect between employers and employees, the amount of such payments shall
286 be paid directly to said employees. Such requests for rates shall be made every six months.

287 Whoever pays less than said rates of wages, including payments to health and welfare
288 funds, or the equivalent in wages, on said works, and whoever accepts for his own use, or for the
289 use of any other person, as a rebate, gratuity or in any other guise, any part or portion of said
290 wages or health and welfare funds, shall have violated this section and shall be punished or shall
291 be subject to a civil citation or order as provided in section 27C.

292 An employee claiming to be aggrieved by a violation of this section may, 90 days after
293 the filing of a complaint with the attorney general, or sooner if the attorney general assents in
294 writing, and within 3 years after the violation, institute and prosecute in his own name and on his
295 own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for
296 any damages incurred, and for any lost wages and other benefits pursuant to Section 150 of
297 Chapter 149. An employee so aggrieved who prevails in such an action shall be awarded treble
298 damages, as liquidated damages, for any lost wages and other benefits and shall also be awarded
299 the costs of the litigation and reasonable attorneys' fees.

300 Section 27J. All construction, reconstruction, installation, alteration or repair on electrical
301 utility infrastructure: (1) requiring the excavation, construction, reconstruction of public lands,
302 rights of way, public works, or buildings and (2) not performed by workers directly employed by
303 Public Utilities, as defined by chapter 164, shall be performed and procured under this section of
304 chapter 149.

305 No public authority, including, but not limited to, the commonwealth, its subdivisions, a
306 county, or a municipality, shall permit or agree to construction, reconstruction, installation,
307 alteration or repair work by a electric distribution company requiring the excavation, alternation,
308 reconstruction, or repair of public lands, works, or buildings unless said agreement contains a

309 stipulation requiring prescribed rates of wages, as determined by the commissioner, to be paid to
310 individuals performing pipeline construction who are not gas company employees.

311 Any such approval which does not contain said stipulation shall be invalid, and no
312 construction may commence thereunder. Said rates of wages shall be requested of said
313 commissioner by said public official or public body together with the electric company on whose
314 service territory the public infrastructure lies, and shall be furnished by the commissioner in a
315 schedule containing the classifications of jobs, and the rate of wages to be paid for each job. Said
316 rates of wages shall include payments to health and welfare plans, or, if no such plan is in effect
317 between employers and employees, the amount of such payments shall be paid directly to said
318 employees. Such requests for rates shall be made every six (6) months.

319 Whoever pays less than said rates of wages, including payments to health and welfare
320 funds, or the equivalent in wages, on said works, and whoever accepts for his own use, or for the
321 use of any other person, as a rebate, gratuity or in any other guise, any part or portion of said
322 wages or health and welfare funds, shall have violated this section and shall be punished or shall
323 be subject to a civil citation or order as provided in section 27C.

324 An employee claiming to be aggrieved by a violation of this section may, 90 days after
325 the filing of a complaint with the attorney general, or sooner if the attorney general assents in
326 writing, and within 3 years after the violation, institute and prosecute in his own name and on his
327 own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for
328 any damages incurred, and for any lost wages and other benefits pursuant to G.L. c. 149, s. 150.
329 An employee so aggrieved who prevails in such an action shall be awarded treble damages, as

330 liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of
331 the litigation and reasonable attorneys' fees.

332 Section 27K. All construction, reconstruction, installation, alteration or repair on
333 renewable energy generation, distribution, transmission infrastructure: (1) requiring the
334 excavation, construction, reconstruction of public lands, rights of way, public works, or buildings
335 and (2) not performed by workers directly employed by Public Utilities, as defined by M.G.L. c.
336 164, shall be performed and procured under this section of chapter 149.

337 No public authority, including, but not limited to, the commonwealth, its subdivisions, a
338 county, or a municipality, shall permit or agree to construction, reconstruction, installation,
339 alteration or repair work by a renewable energy company requiring the excavation, alternation,
340 reconstruction, or repair of public lands, works, or buildings unless said agreement contains a
341 stipulation requiring prescribed rates of wages, as determined by the commissioner, to be paid to
342 individuals performing pipeline construction who are not gas company employees.

343 Any such approval which does not contain said stipulation shall be invalid, and no
344 construction may commence thereunder. Said rates of wages shall be requested of said
345 commissioner by said public official or public body together with the renewable energy
346 distribution company on whose service territory the public infrastructure lies, and shall be
347 furnished by the commissioner in a schedule containing the classifications of jobs, and the rate of
348 wages to be paid for each job. Said rates of wages shall include payments to health and welfare
349 plans, or, if no such plan is in effect between employers and employees, the amount of such
350 payments shall be paid directly to said employees. Such requests for rates shall be made every
351 six (6) months.

352 Whoever pays less than said rates of wages, including payments to health and welfare
353 funds, or the equivalent in wages, on said works, and whoever accepts for his own use, or for the
354 use of any other person, as a rebate, gratuity or in any other guise, any part or portion of said
355 wages or health and welfare funds, shall have violated this section and shall be punished or shall
356 be subject to a civil citation or order as provided in section 27C.

357 An employee claiming to be aggrieved by a violation of this section may, 90 days after
358 the filing of a complaint with the attorney general, or sooner if the attorney general assents in
359 writing, and within 3 years after the violation, institute and prosecute in his own name and on his
360 own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for
361 any damages incurred, and for any lost wages and other benefits pursuant to G.L. c. 149, s. 150.
362 An employee so aggrieved who prevails in such an action shall be awarded treble damages, as
363 liquidated damages, for any lost wages and other benefits and shall also be awarded the costs of
364 the litigation and reasonable attorneys' fees.

365 SECTION 8. Section 2 of chapter 23J of the General Laws, as appearing in the 2020
366 Official Edition, is hereby amended by striking out the number “15” and inserting in place
367 thereof the number:- 19

368 SECTION 9. Section 2 of said chapter 23J of the General Laws, as so appearing, is
369 hereby further amended by striking out the words “1 of whom shall be a union representative ”,
370 in line 60, and inserting in place thereof, the following words:-

371 “1 of whom shall be a representative of employees in the gas utility sector appointed by
372 the president of the Massachusetts AFL-CIO; 1 of whom shall be a representative of employees
373 in the electric power generation sector appointed by the president of the Massachusetts AFL-

374 CIO; 1 of whom shall be the president of the Massachusetts AFL-CIO, or their designee, and 1
375 of whom shall be the president of the Massachusetts Building Trades Council or their designee, 1
376 of whom shall be a union representative”

377 SECTION 10. Paragraph 27 of section 3 of said chapter 23J of the General Laws, as so
378 appearing, is hereby amended by inserting after the words “clean energy industry” the following
379 words:-

380 including, but not limited to, collaboration with state and federally licensed
381 apprenticeship and pre-apprenticeship programs providing training in the commonwealth;

382 SECTION 11. Section 12 of chapter 23J of the General Laws, as so appearing, is hereby
383 amended by adding the following words:-

384 The center shall be subject to section 39M of chapter 30 and sections 44A to 44H,
385 inclusive, of chapter 149 and shall comply with requirements applicable to an independent public
386 authority for publication of contract information in the central register established pursuant to
387 section 20A of chapter 9.

388 With regard to all clean energy and other climate change remediation construction
389 projects funded, owned or leased by the commonwealth, including but not limited to the center,
390 the commonwealth shall require that successful Applicants, in collaboration with their
391 contractors and sub-contractors:

392 (a) Meet the workforce participation goals for the utilization of minority and women
393 workers as required by section 44A(1)(G) of Chapter 149, provided, however, that such goals
394 shall be equal to or greater than the goals contained in the executive office for administration and

395 finance Administration Bulletin Number 14, and incorporate the data collection requirements
396 contains in Administration Bulletin Number 17.

397 (b) Participate in state or federally accredited apprenticeship program(s) that have
398 graduated at least one apprentice in the last five (5) years and utilize apprentices at a percentage
399 set by the commonwealth as part of its current workforce development plan.

400 (c) Bid all applicable construction, reconstruction, installation, alteration work performed
401 on the Project under this Section consistent with section 44A of chapter 149, section 8 of chapter
402 149A, and section 39M of chapter 30.

403 (d) Compensate all construction, reconstruction, installation, alteration work performed
404 under this Section, at a minimum, in accordance with chapter 149, sections 26-27D.

405 (e) Become signatory to a project labor agreement if such an agreement is selected as the
406 project delivery method for the construction project by the contracting authority.

407 SECTION 12. Chapter 23J of the General Laws, as so appearing, is hereby amended by
408 adding the following section:-

409 Section 13. Clean Energy Workforce Development Plan

410 The Massachusetts Clean Energy Technology Center, in collaboration with the
411 department of career services, shall develop and implement successive five-year clean energy
412 workforce development plans for the commonwealth that includes outreach and recruitment into
413 the clean energy industry for existing workers in fossil fuel intensive industries, as well as
414 environmental justice populations and individuals living in municipalities at high risk for climate
415 change within the commonwealth.

416 The workforce development plans shall include:

417 1. Development of technical assistance, grants, loans, and demonstration projects,
418 facilitating the creation of construction, operations, and maintenance jobs in the clean energy
419 industry.

420 2. Measures to expand training capacity for the clean energy industry, building upon the
421 commonwealth's existing public and private workforce development facilities, including all state
422 and federally certified apprenticeship programs, licensure, and degree programs.

423 3. Specific goals for the utilization of the residual workforce in fossil fuel intensive
424 industries, as well as environmental justice populations and individuals living in municipalities at
425 high risk for climate change within the commonwealth.

426 4. Recommendations, programs, and technical assistance for the clean energy industry to
427 ensure that the industry develops and maintains working terms and conditions for all workers
428 employed therein.

429 5. Requirements for minimum working conditions on clean energy projects owned,
430 leased, or financed by the Center through the Renewable Energy Trust Fund, or otherwise by the
431 commonwealth, its departments, offices, agencies, and quasi-independent agencies.

432 The Center will engage all stakeholders in the planning process, including but not limited
433 to the union representatives of workers in fossil fuel industries and organizations serving
434 environmental justice populations and individuals living in municipalities at high risk for climate
435 change within the Commonwealth. The Center will coordinate their workforce development

436 planning and research with the executive office of labor and workforce development's office of
437 just transition.