

SENATE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act promoting a just transition and clean energy workforce standards.

PETITION OF:

NAME:

Paul R. Feeney

DISTRICT/ADDRESS:

Bristol and Norfolk

SENATE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act promoting a just transition and clean energy workforce standards.

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 striking out section 1E (a) and (b) and inserting in place thereof the following subsections:-

3 (a) The department is hereby authorized to promulgate rules and regulations to establish
4 and require performance-based rates for each distribution, transmission, and gas company
5 organized and doing business in the commonwealth pursuant to the provisions of this chapter. In
6 promulgating such performance-based rate schemes, the department shall establish service
7 quality standards for each distribution, transmission, and gas company, including, but not limited
8 to, standards for customer satisfaction service outages, distribution facility upgrades, repairs and
9 maintenance, telephone service, billing service, and public safety, occupational safety, training
10 and certifications for both in-house and contractor employees, map and record accuracy, and in-
11 house staffing benchmarks sufficient to ensure pipeline safety and reliability through the period
12 of transition ot net zero emissions.

13 Within 60 days of the effective date of this legislation, the department shall open a docket
14 for the purpose of developing additional just transition workforce service quality indicators,
15 which may include, but are not limited to, the training and the utilization of the gas companies’
16 residual workforce as it adopts and invests in non-pipeline alternatives to natural gas (NPAs), as
17 defined by DPU 20-80B or other renewable energy sources, such as hydrogen and renewable
18 natural gas.

19 (b) In complying with the services quality standards and employee benchmarks
20 established pursuant to this section, a distribution, transmission, or gas company that makes a
21 performance-based rating filing after the effective date of this act shall not be allowed to engage
22 in labor displacement or reductions below staffing levels in existence on January 1, 2025, unless
23 such are fully compliant with any law supporting a just transition to net zero emissions and part
24 of a collective bargaining agreement or agreements between such company and the applicable
25 labor organization or labor organizations representing such workers, or with the approval of the
26 department following an evidentiary hearing at which the burden shall be upon the company to
27 demonstrate that such staffing reductions shall not adversely disrupt service quality standards or
28 public safety and shall maintain reliable service through the transition to net zero emissions as
29 established by the department herein. Nothing in this paragraph shall prevent reduction of forces
30 below the January 1, 2025 level through early retirement and severances negotiated with labor
31 organizations before said date.

32 SECTION 2. Section 1E of Chapter 164 of the General Laws is hereby amended by
33 adding the following subsections after subsection (c):-

34 (d) The department shall require each company engaged in the sale or distribution of gas
35 as part of performance-based ratemaking and biennially, as required by this act, to submit a just
36 transition plan, which must be approved by the department, to address workforce development,
37 maintenance, and attrition, and provide the following:

38 (i) A detailed proposed chronology for projected energy supply and distribution in the
39 transition to net zero emissions to be set through performance-based ratemaking;

40 (ii) A detailed plan for the hire, retention, and training of a sufficient operations and
41 maintenance workforce through 2050, or until the complete retirement of its gas pipeline is
42 achieved, whichever is later, and which addresses the gas company's operational plans to meet
43 the commonwealth's net zero emissions goals while concurrently fulfilling this chapter's
44 requirements to provide safe and reliable service as well as all other state and federal regulatory
45 requirements;

46 (iii) Sufficient in-house staffing levels, in each relevant job classification and department
47 to ensure the safety and reliability of the gas company's gas service through the effective time
48 period for which the performance-based rates have been sought and taking into account the gas
49 company's projected schedule for adopting non-pipeline and other renewable energy alternatives
50 to natural gas and its obligations to maintain safe and reliable gas service to existing customers;

51 (iv) Training and workforce development plans providing for gas company workforce
52 needs on residual natural gas as well as non-pipeline alternatives and other renewable energy
53 sources through the effective time period for which the performance-based rates have been
54 sought, including but not limited to, the generation and distribution infrastructure utilized to
55 replace and/or complement natural gas, whether by the gas company, its parent or subsidiary or

56 related corporation, a joint venture, or another company regulated by the department with
57 electric or other non-pipeline alternative or renewable energy service territory overlap with the
58 gas company;

59 (v) Any and all mitigation measures proposed or implemented to address the impacts of
60 transition on the gas company's workforce over the course of the time period in which the
61 performance-based rates remain in effect, including but not limited to, cross-training and hiring
62 preferences at dual-fuel companies and joint ventures with non-pipeline alternative energy and/or
63 other renewable energy generators and distributors, early retirement incentives, and education
64 stipends for retraining;

65 (vi) Any collective bargaining or other agreements reached with labor unions
66 representing the gas company's in-house workforce and/or representing the workforce of outside
67 contractors to ensure a just workforce transition over the duration of the proposed performance-
68 based rates or until a full transition to net zero emissions is achieved;

69 (vii) In the event of the gas company's anticipated substantial, partial, or complete
70 cessation of gas operations in Massachusetts during the period in which performance-based
71 review is effective, the company must report the following to the department:

72 (a) Means by which the gas company, and/or its parent corporation, intends to avoid
73 burdening the commonwealth, ratepayers, or taxpayers with the social welfare costs resulting
74 from such cessation;

75 (b) Measures to ensure the solvency of the gas company pension system during and after
76 transition;

77 (c) Measures to stem the displacement of gas company employees unemployed as a result
78 of transition from the Massachusetts energy sector; and

79 (d) Any agreements developed with labor unions representing the gas company's in-
80 house workforce and/or representing the workforce of outside contractors to ensure a just
81 workforce transition over the duration of the proposed performance-based rates.

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

86 Nothing in this subsection shall prohibit or supplant the local distribution company's
87 collective bargaining obligations relative to the National Labor Relations Act.

88 SECTION 3. Section 145 of Chapter 164 of the General Laws is hereby amended by
89 inserting in subsection (b), as appearing in the 2022 Official Edition, the following paragraph:-

90 This plan shall include, but not be limited to, provisions to ensure the gas company trains
91 a sufficiently skilled workforce to repair and maintain the safety and reliability of its pipeline for
92 the duration of its useful life, until and including its retirement or re-purposing for non-pipeline
93 alternatives or other renewable energy use.

94 SECTION 4. Section 145 of Chapter 164 of the General Laws is hereby amended by
95 inserting in subsection (c), as appearing in the 2022 Official Edition, the following words:-

96 ; and (vii) how the gas company intends to utilize its in-house workforce and outside
97 contractor crews, respectively, to perform construction; (viii) all oversight and quality assurance

98 measures implemented by the gas company on construction during the course of the plan; (ix) all
99 funds to be expended on training for its in-house workforce and contractors on the construction
100 and maintenance of its pipeline; (x) any plans for the utilization of the pipeline to satisfy the
101 commonwealth’s net zero emissions goals, including but not limited to, the exploration of
102 renewable natural gas and hydrogen, and aggregated data reflecting the projected impact of the
103 plans on the commonwealth’s net zero emissions goals.

104 SECTION 5. Chapter 164 of the General Laws is hereby amended by adding the
105 following section:-

106 Section 149. Department program to ensure a just transition.

107 (a) Definitions. For the purposes of this section, the following definitions shall apply:

108 “Gas company” or “employer”, any local distribution company regulated under section 3
109 of chapter 164 and distributing natural gas to ratepayers.

110 “Dual-fuel company”, a company that distributes natural gas and one or more other forms
111 of energy to commercial, governmental, and/or residential ratepayers.

112 “Alternative energy company”, a company that generates or distributes forms of energy
113 whose production and use results in the production of lower carbon emissions than conventional
114 natural gas or electric energy.

115 “Commonwealth”, the Commonwealth of Massachusetts and/or its departments, offices,
116 agencies, political subdivisions, and quasi-public agencies, including, but not limited to, quasi-
117 public agencies subject to chapter 150A as appearing in chapter 760 of the acts of 1962, and any

118 quasi-public independent entity and any authority or body politic and corporation established by
119 the general court to serve a public purpose.

120 (b) Planning for Just Transition of Workforce.

121 (1) Every gas company shall develop, and periodically amend, a comprehensive plan, as
122 set forth in Section 1E of Chapter 164, as amended by section 1 of this act, to be filed with the
123 Department of Public Utilities for the hire, retention, and training of a sufficient operations and
124 maintenance workforce through 2050, or until the complete retirement of its gas pipeline is
125 achieved, whichever is later, addressing its plans to meet the commonwealth's net zero emissions
126 goals and its plans to fulfill this chapter's requirements to provide safe and reliable service as
127 well as all other state and federal regulatory requirements. Such plan shall be amended
128 biennially, beginning July 1, 2026, and shall also be amended when the gas company files with
129 the department requesting performance-based ratemaking.

130 In addition to provisions set forth by section 1 of this act, each company plan shall also
131 provide projections for any attrition among its in-house workforce and the utilization of outside
132 contractors over both the biennial period and over the course of its transition to net zero
133 emissions or its complete retirement of its gas pipeline, whichever is later.

134 All dual-fuel companies must additionally provide, as part of their biennial plan,
135 provisions, opportunities, and initiatives to provide training and employment opportunities to
136 workers who may be displaced by the gas company's compliance with the commonwealth's net
137 zero emissions goals on the other forms of energy it distributes. This includes, but is not limited
138 to, any agreement reached with labor organizations representing employees at its gas or

139 alternative fuel operations or labor organizations representing employees of its outside
140 contractors.

141 (2) The department shall, when initiated sua sponte or by motion of the Attorney General,
142 initiate an investigation to determine the sufficiency of the gas company and/or dual-fuel
143 company's plan with regard to meeting the commonwealth's net zero emission requirements and
144 chapter 164's reliability, safety, and staffing requirements. Such plans, and all back-up data upon
145 which the plans are based, shall be subject to disclosure to all intervening stakeholders during the
146 investigation. Upon good cause shown, back-up data may be subject to reasonable protective
147 treatment.

148 (c) Funding for Training on Alternative Fuels.

149 The Executive Office of Energy and Environmental Affairs and the Executive Office of
150 Labor and Workforce Development shall, joint and in collaboration, administer programs,
151 provide technical assistance, and develop regulations for a training fund to support the
152 establishment of apprenticeship programs to train gas and dual-fuel company employees on
153 alternative energy generation and distribution and raise the next generation of energy industry
154 workers in the commonwealth.

155 Grants from the fund may be provided to gas and dual-fuel companies for the
156 development and execution of training their workforces on a competitive basis, based upon a
157 number of factors, including but not limited to, the company's demonstrated commitment to (1)
158 retaining and repurposing its in-house gas workforce on dual-fuel or alternative energy
159 businesses, and (2) to maintaining high quality, long-term in-house employment opportunities in

160 energy distribution. Labor organizations representing gas company workers and dual-fuel
161 company workers may also apply for funding.

162 Alternative energy companies, including both generating or distributing companies, may
163 also apply for training grants from this fund to defray the cost of hiring and training workers
164 displaced by the commonwealth's efforts to meet its net zero emissions goals. To qualify,
165 alternative energy companies must demonstrate that (1) they are developing and executing plans
166 for hiring, training, and retention that include a demonstrated commitment to training and hiring
167 gas company employees and other workers displaced by the commonwealth's transition to net
168 zero emissions, (2) they have or are in the process of developing robust in-house training
169 programs in the commonwealth on alternative energy, and (3) they are committed to the creation
170 and maintenance of high quality, sustainable employment opportunities for displaced workers.

171 SECTION 6. Chapter 23 of the General Laws, as appearing in the 2022 Official Edition,
172 is hereby amended by adding following section:-

173 Section 26. Just Transition to Clean Energy.

174 (a) Within the Executive Office of Labor and Workforce Development, there shall be a
175 Just Transition Office. The office shall ensure that workers employed in the energy sector who
176 are displaced due to efforts by the commonwealth or the private sector to reduce greenhouse gas
177 emissions or transition from fossil fuels to clean energy have access to employment and training
178 opportunities in clean energy industries and related fields. The office shall also work with clean
179 energy businesses to ensure they act as responsible employers to further the commonwealth's
180 workforce and economic development goals. The office shall also work to increase access to

181 employment and training opportunities in clean energy industries and related fields for residents
182 of environmental justice communities.

183 (b) The Secretary of Labor and Workforce Development shall appoint the director of the
184 office.

185 (c) There shall be a Just Transition Advisory Committee consisting of: (i) the director of
186 the just transition office; (ii) the secretary of labor and workforce development, or their designee;
187 (iii) the commissioner of the department of energy resources, or their designee; (iv) the secretary
188 of the executive office of energy and environmental affairs, or their designee; (v) a representative
189 of employers in the gas utility sector appointed by the governor; (vi) a representative of
190 employers in the electric power generation sector appointed by the governor; (vii) a
191 representative of employers in the renewable electricity sector appointed by the governor; (viii) a
192 representative of employers in the energy efficiency sector appointed by the governor; (ix) a
193 representative of employers in the clean transportation sector appointed by the governor; (x) a
194 representative of employers in the clean heating sector appointed by the governor; (xi) a
195 representative of employees in the gas utility sector appointed by the president of the
196 Massachusetts AFL-CIO; (xii) a representative of employees in the electric power generation
197 sector appointed by the president of the Massachusetts AFL-CIO; (xiii) two representatives of
198 employees in the clean energy sector appointed by the president of the Massachusetts AFL-CIO;
199 (xiv) a representative of employees in the transportation sector appointed by the president of the
200 Massachusetts AFL-CIO; (xv) the president of the Massachusetts Building Trades Council, or
201 their designee; and (xvi) two representatives of environmental justice communities appointed by
202 the secretary of the executive office of energy and environmental affairs.

203 (d) The committee shall be tasked with developing a just transition plan for the energy
204 sector that identifies workers currently employed in the sector by industry, trade, and job
205 classifications, and contains relevant information including, but not limited to, current wage and
206 benefit packages and current licensing, certification, and training requirements. The committee,
207 through the just transition plan, shall recommend education and training programs to enhance re-
208 employment opportunities within the energy sector, and services to support dislocated workers
209 displaced from jobs within the energy sector as a result of emissions-reducing policies and
210 advancements in clean energy technology. The just transition plan shall also recommend actions
211 to increase opportunities for residents of environmental justice communities to work in clean
212 energy industries.

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

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

216 (ii) provide training, cross-training, and re-training to workers displaced by gas
217 infrastructure loss in the commonwealth's local distribution companies and related businesses:

218 (iii) address the workforce development challenges of the fossil fuel energy sector's
219 shrinking workforce over the course of the commonwealth's transition to a clean energy
220 economy;

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

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

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

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

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

236 (ix) identify employers in the energy sector involved or likely to be involved in
237 transitional steps away from fossil fuels and establish requirements and procedures for
238 submissions of employee counts and classifications to the office; and

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

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

- 244 (i) the reasons for the workforce reduction or facility closure;
- 245 (ii) the total number of workers by job classification and by geographic assignment
246 employed by the employer;
- 247 (iii) the total number of workers whose existing jobs who will be retained, by job
248 classification and geographic location;
- 249 (iv) the total number of workers whose existing jobs are being eliminated by the
250 workforce reduction or the closure of a facility, by job classification and geographic location;
- 251 (v) whether each classification of workers whose jobs are being eliminated will be
252 offered employment in any other job classification or capacity by the employer; how many
253 employees in each classification will be offered employment; and whether the replacement
254 employment offered will provide comparable wages, benefits, and working conditions;
- 255 (vi) whether the employer is offering severance or early retirement benefits to impacted
256 workers; the value of the severance or early retirement benefits; whether the severance or early
257 retirement benefits are being provided to all or certain classes of workers and how many
258 impacted workers intend to utilize these offerings;
- 259 (vii) whether the employer plans to transfer the work to a separate facility, enter a
260 contracting agreement for work previously performed by company employees, or otherwise
261 outsource work previously performed by company employees; and
- 262 (viii) whether the employer is a recipient of loans, grants, tax increment financing, or any
263 other financial incentive from the commonwealth, its independent state agencies, departments, or
264 corporations, or any municipality within the last five years.

265 SECTION 7. Chapter 25A of the General Laws, as appearing in the 2022 Official
266 Edition, is hereby amended by adding the following section:

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

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

270 “Applicant”, (1) any natural person or business, whether or not incorporated or
271 unincorporated, who seeks a contract to provide labor or services under this chapter, and
272 employs another to work in the commonwealth, or contracts with another natural person or
273 business to do so to perform labor, services, or otherwise assist in the completion of project,
274 under a contract, grant, subsidy, or any other arrangement funded in part or in the whole by the
275 commonwealth, or its departments, offices, agencies, subdivisions, and quasi-public agencies,
276 including, but not limited to public authorities, subject to said chapter 150A by chapter 760 of
277 the acts of 1962; and (2) any public utilities that are regulated under chapter 164. This definition
278 excludes: (1) the United States or a corporation wholly owned by the government of the United
279 States; and (2) a public utility, but only when employing workers directly to perform
280 construction and maintenance and other operational duties on its utility infrastructure and
281 building.

282 “Commonwealth”, the commonwealth and its departments, offices, agencies, political
283 subdivisions, and quasi-public agencies, including but not limited to quasi-public agencies
284 subject to chapter 150A by chapter 760 of the acts of 1962 and any quasi-public independent
285 entity and any authority or corporation established by the general court to serve a public purpose.

286 “Energy infrastructure”, refers to but is not limited to Massachusetts’ existing energy
287 industry infrastructure generating, transmitting, and distributing energy from fossil fuels sources,
288 building energy efficiency improvements, and renewable energy infrastructure.

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

291 “Labor peace agreement”, an agreement between an employer and labor organization
292 that, at a minimum, protects the commonwealth’s proprietary interests by prohibiting the labor
293 organization and its members from engaging in picketing, work stoppages, boycotts, strikes, and
294 any other economic interference with the employer’s business operations for the duration of the
295 agreement.

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

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

305 “Public utilities”, utilities that are regulated under chapter 164.

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

309 (b) Every request for proposal, grant application, or solicitation offering funding from the
310 commonwealth or other public entity enumerated above for the purpose of furthering the
311 commonwealth’s net zero emissions goals in any manner for all commercial projects and
312 residential projects in excess of three units, shall be performed in conformance with sections 26
313 to 27D, inclusive, of chapter 149, and shall include the certification and disclosure requirements
314 included in this section.

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

317 (i) documentation reflecting the applicant’s demonstrated commitment to workforce
318 development within the commonwealth;

319 (ii) a statement of intent concerning efforts that it and its contractors and subcontractors
320 on this project will take to promote workforce development on the project if successful;

321 (iii) documentation reflecting the applicant’s demonstrated commitment to economic
322 development within the commonwealth;

323 (iv) a statement of intent concerning efforts that it and its contractors and subcontractors
324 on this project will take to promote economic development on the project if successful;

325 (v) documentation reflecting the applicant’s demonstrated commitment to expand
326 workforce diversity, equity, and inclusion in its past projects within the commonwealth;

327 (vi) a statement of intent concerning efforts that it and its contractors and subcontractors
328 on this project will take to expand workforce diversity, equity and inclusion on the project if
329 successful;

330 (vii) a disclosure on whether it and each of its contractors and subcontractors on this
331 project have previously contracted with a labor organization in the commonwealth or elsewhere,
332 as defined by chapter 150A or the National Labor Relations Act;

333 (viii) a statement of whether it and each of its contractors and subcontractors on this
334 project participates in a state or federally certified apprenticeship program and the number of
335 apprentices the apprenticeship program has trained to completion for each of the last five (5)
336 years;

337 (ix) a statement of intent concerning the extent to which the applicant, its contractors, and
338 subcontractors on this project intend to utilize apprentices on the project if successful;

339 (x) certification that the applicant and its contractors and subcontractors on this project
340 have complied with chapters 149, 151, 151A, 151B and 152 of the General Laws and 29 U.S.C.
341 section 201, et seq. and federal anti-discrimination laws for the last three (3) calendar years;

342 (xi) certification that the applicant and its contractors and subcontractors on this project
343 are currently, and will remain, in compliance with chapters 149, 151, 151A, 151B and 152 of the
344 General Laws and 29 U.S.C. section 201, et seq. and federal anti-discrimination laws for the
345 duration of this project;

346 (xii) detailed plans for assuring labor harmony during all phases of the construction,
347 reconstruction, renovation, development and operation of the project.

348 To the extent the applicant, or one of its contractors or subcontractors on the project,
349 cannot meet the certification requirements provided for in clauses (x) and (xi), the applicant must
350 submit proof of a wage bond or other comparable form of insurance in an amount equal to the
351 aggregate of one year's gross wages for all workers projected to be employed by the applicant,
352 contractor, or subcontractor for which certification is unavailable, to be maintained for the life of
353 the project.

354 (d) Every request for proposals, solicitation, or advertisement for funding issued by the
355 commonwealth under this chapter shall notify applicants that they will be disqualified from this
356 project if they have been debarred by the federal government or commonwealth for the entire
357 term of debarment.

358 (e) All applicants shall provide in a timely manner the above documentation and
359 certifications as part of their initial application. Failure to provide said documentation and
360 certifications shall disqualify the applicant from receiving funding for the project on which the
361 funding has been requested.

362 (f) A successful applicant's good faith failure to provide complete accurate certifications
363 and documentation under subsection (a) of this section shall result in suspension from the project
364 for a period of 30 days, to provide an opportunity for the applicant to address application
365 deficiencies to the satisfaction of the commonwealth. Failure to cure deficiencies, thereafter,
366 shall result in termination. A successful applicant's willful failure to provide accurate
367 certifications and documentation shall result in permanent termination from the project and the
368 return of all funds awarded therefore within 30 days.

369 (g) The attorney general shall enforce the provisions contained herein and may enact
370 regulations consistent therewith.

371 (h) Where the Commonwealth of Massachusetts or any political subdivision thereof
372 proffers land within its control (by lease or ownership) and sub-leases or conveys such land to an
373 end user, developer, or operator public lands for the construction, operation, and/or maintenance
374 of a manufacturing, marshalling, or staging facility within the commonwealth that will provide
375 goods and services for renewable energy generation, distribution, transmission, and
376 infrastructure, those leases/conveyances shall be conditioned upon the lessee/awardee's
377 agreement to enter into fully executed labor peace agreements with any bona fide labor
378 organization that seeks to represent the lessee/awardee's employees working on the project, as
379 permitted by federal law.

380 Likewise, any funding, including grants and loans made by the Commonwealth of
381 Massachusetts, including but not limited to those made through the Massachusetts Clean Energy
382 Center under chapter 23J, to support the construction, operation, and/or maintenance of a supply
383 chain facility within the commonwealth that will provide goods and services to be used in the
384 construction and maintenance of renewable energy generation, distribution, or transmission
385 facility, shall be conditioned upon the recipient's agreement to enter into a fully executed labor
386 peace agreement with any bona fide labor organization(s) that seeks to represent the recipient's
387 employees working on the project as their exclusive bargaining representative, as permitted by
388 federal law.

389 SECTION 8. Chapter 149 of the General Laws, as appearing in the 2020 Official Edition,
390 is hereby amended by adding the following new sections:-

391 Section 27I. All construction, reconstruction, installation, alteration or repair on natural
392 gas utility infrastructure, including, but not limited to, pipelines, mains, services, and other
393 infrastructure: (1) requiring the excavation, construction, reconstruction of public lands, rights on
394 way, public works, or buildings and (2) not performed by workers directly employed by public
395 utilities, as defined by chapter 164, shall be performed and procured under this section 149.

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

402 Any such approval which does not contain said stipulation shall be invalid, and no
403 construction may commence thereunder. Said rates of wages shall be requested of said
404 commissioner by said public official or public body together with the gas local distribution
405 company on whose service territory the public infrastructure lies, and shall be furnished by the
406 commissioner in a schedule containing the classification of jobs, and the rate of wages to be paid
407 for each job. Said rates of wages shall include payments to health and welfare plans, or, if no
408 such plan is in effect between employers and employees, the amount of such payments shall be
409 made every six months.

410 Whoever pays less than said rates of wages, including payments to health and welfare
411 funds, or the equivalent in wages, on said works, and whoever accepts for his own use, or for the
412 use of any other person, as a rebate, gratuity or in any other guise, any part or portion of said

413 wages or health and welfare funds, shall have violated this section and shall be punished or shall
414 be subject to a civil citation or order as provided in section 27C.

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

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

428 No public authority, including, but not limited to, the commonwealth, its subdivisions, a
429 county, or a municipality, shall permit or agree to construction, reconstruction, installation,
430 alteration or repair work by an electric distribution company requiring the excavation,
431 alternation, reconstruction, or repair of public lands, works, or buildings unless said agreement
432 contains a stipulation requiring prescribed rates of wages, as determined by the commissioner, to
433 be paid to individuals performing pipeline construction who are not gas company employees.
434 Any such approval which does not contain said stipulation shall be invalid, and no construction

435 may commence thereunder. Said rates of wages shall be requested of said commissioner by said
436 public commissioner or public body together with the electric company on whose service
437 territory the public infrastructure lies, and shall be furnished by the commissioner in a schedule
438 containing the classifications of jobs, and the rate of wages to be paid for each job. Said rates of
439 wages shall include payments to health and welfare plans, or, if no such plan is in effect between
440 employers and employees, the amount of such payments shall be paid directly to employees.
441 Such requests for rates shall be made every six (6) months.

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

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

455 Section 27K. All construction, reconstruction, installation, alteration or repair on
456 renewable energy generation, distribution, transmission: (1) requiring the excavation,

457 construction, reconstruction of public lands, rights of way, public works, or building and (2) not
458 performed by workers directly employed by public utilities, as defined by chapter 164, shall be
459 performed and procured under this section of chapter 149.

460 No public authority, including, but not limited to, the commonwealth, its subdivisions, a
461 county, or a municipality, shall permit or agree to construction, reconstruction, installation,
462 alteration or repair work by an electric distribution company requiring the excavation,
463 alternation, reconstruction, or repair of public lands, works, or buildings unless said agreement
464 contains a stipulation requiring prescribed rates of wages, as determined by the commissioner, to
465 be paid to individuals performing pipeline construction who are not gas company employees.
466 Any such approval which does not contain said stipulation shall be invalid, and no construction
467 may commence thereunder. Said rates of wages shall be requested of said commissioner by said
468 public commissioner or public body together with the electric company on whose service
469 territory the public infrastructure lies, and shall be furnished by the commissioner in a schedule
470 containing the classifications of jobs, and the rate of wages to be paid for each job. Said rates of
471 wages shall include payments to health and welfare plans, or, if no such plan is in effect between
472 employers and employees, the amount of such payments shall be paid directly to employees.
473 Such requests for rates shall be made every six (6) months.

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

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

487 SECTION 9. Section 2 of chapter 23J of the General Laws, as appearing in the 2022
488 Official Edition, is hereby amended by striking out the number "15" and inserting in place
489 thereof the number:- 19

490 SECTION 10. Said section 2 of said chapter 23J of the General Laws, as so appearing, is
491 hereby further amended by striking out the words "1 of whom shall be a union representative", in
492 line 60, and inserting in place thereof the following words:-

493 "1 of whom shall be a representative of employees in the gas utility sector appointed by
494 the president of the Massachusetts AFL-CIO; 1 of whom shall be a representative of employees
495 in the electric power generation sector appointed by the president of the Massachusetts AFL-
496 CIO; 1 of whom shall be the president of the Massachusetts AFL-CIO, or their designee; 1 of
497 whom shall be the president of the Massachusetts Building Trades Council, or their designee; 1
498 of whom shall be a union representative"

499 SECTION 11. Paragraph 27 of section 3 of said chapter 23J of the General Laws, as so
500 appearing, is hereby amended by inserting after the words “clean energy industry” the following
501 words:-

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

504 SECTION 12. Section 12 of chapter 23J of the General Laws, as so appearing, is hereby
505 amended by adding the following new paragraphs:-

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

510 With regard to all clean energy and other climate change remediation construction
511 projects funded, owned or leased by the commonwealth, including but not limited to the center,
512 the commonwealth shall require that successful applicants, in collaboration with their contractors
513 and subcontractors:

514 (i) Meet the workforce participation goals for the utilization of minority and women
515 workers as required by section 44A(1)(G) of chapter 149, provided, however, that such goals
516 shall be equal to or greater than the goals contained in the executive office for administration and
517 finance Administration Bulletin Number 14, and incorporate data collection requirements
518 contained in Administration Bulletin Number 17;

519 (ii) Participate in state or federally accredited apprenticeship programs that have
520 graduated at least one apprentice in the last five years and utilize apprentices at a percentage set
521 by the commonwealth as part of its current workforce development plan;

522 (iii) Bid all applicable construction, reconstruction, installation, and alteration work
523 performed on the project under this section consistent with section 39M of chapter 30, section
524 44A of chapter 149, and section 8 of chapter 149A;

525 (iv) Compensate all construction, reconstruction, installation, and alteration work
526 performed under this section, at a minimum, in accordance with sections 26 to 27D, inclusive, of
527 chapter 149; and

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

530 SECTION 13. Chapter 23J of the General Law, as so appearing, is hereby amended by
531 adding the following section:-

532 Section 12. Clean Energy Workforce Development Plan

533 The Massachusetts clean energy technology center, in collaboration with the department
534 of career services, shall develop and implement successive five-year clean energy workforce
535 development plans for the commonwealth that includes outreach and recruitment into the clean
536 energy industry for existing workers in fossil fuel intensive industries, as well as environmental
537 justice populations and individuals living in municipalities at high risk for climate change within
538 the commonwealth. The workforce development plans shall include:

539 (i) Development of technical assistance, grants, loans, and demonstration projects,
540 facilitating the creation of construction, operations, and maintenance jobs in the clean energy
541 industry;

542 (ii) Measures to expand training capacity for the clean energy industry, building upon the
543 commonwealth's existing public and private workforce development facilities, including all state
544 and federally certified apprenticeship programs, licensure, and degree programs;

545 (iii) Specific goals for the utilization of the residual workforce in fossil fuel intensive
546 industries, as well as environmental justice populations and individuals living in municipalities at
547 high risk for climate change within the commonwealth;

548 (iv) recommendations, programs, and technical assistance for the clean energy industry to
549 ensure that the industry develops and maintains working terms and conditions for all workers
550 employed therein; and

551 (v) requirements for minimum working conditions on clean energy projects owned,
552 leased, or financed by the center through the renewable energy trust fund, or otherwise by the
553 commonwealth, its departments, offices, agencies, and quasi-independent agencies.

554 The center will engage all stakeholders in the planning process, including but not limited
555 to the union representatives of workers in fossil fuel industries and organizations serving
556 environmental justice populations and individuals living in municipalities at high risk for climate
557 change within the commonwealth. The center will coordinate their workforce development
558 planning and research within the executive office of labor and workforce development's office of
559 just transition.

SECTION 14. This act shall take effect on January 1, 2026.