



California Public
Utilities Commission

Advancing California's Workforce for a Clean Energy Future

EN BANC WHITE PAPER

October 2023

This white paper serves as a primer to the Environmental and Social Justice High Road Workforce En Banc co-hosted by the California Public Utilities Commission and the California Workforce Development Board in Sacramento on October 17, 2023.

A digital copy of this white paper can be found at:
[Environmental and Social Justice Action Plan \(ca.gov\)](https://www.ca.gov/Environmental-and-Social-Justice-Action-Plan)

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Contents

- SECTION 1 Executive Summary 1
- SECTION 2 Purpose of the En Banc 2
- SECTION 3 Environmental and Social Justice Action Plan 4
- SECTION 4 CPUC/CWDB Memorandum of Understanding 6
- SECTION 5 Workforce and Climate Policies 7
- SECTION 6 California's Clean Energy Transition..... 9
- SECTION 7 Tribal Initiatives..... 11
- SECTION 8 Select CPUC Proceedings..... 14
 - Communications..... 14
 - D.21-04-008 – Approving Restructuring of Frontier Communications..... 14
 - D.20-04-008 – T-Mobile/Sprint Merger Conditions 15
 - Energy 17
 - D.21-06-015 – Decision on Large Investor-Owned Utilities’ and Marin Clean Energy’s CARE, ESA, and FERA Program Applications for Program Years 2021-2026..... 17
 - D.23-04-042 – Decision on Phase 2-C of Electric Program Investment Charge Rulemaking18
 - D.23-06-055 – Decision Authorizing Energy Efficiency Portfolios for 2024-2027 and Business Plans for 2024-2031 19
 - Transportation 20
 - D.21-07-028 – Decision Setting Near-Term Priorities for Transportation Electrification Investments by the Electrical Corporations 20
 - D.22-11-040 – Decision on Transportation Electrification Policy and Investment..... 20
 - Wildfire Safety..... 21
 - R.18-10-007 – Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901 21
 - 2020 Wildfire Related Resolutions WSD-003 – WSD-009..... 21
 - 2021 Wildfire Related Resolutions WSD-017 – WSD-022..... 23
 - 2022 Wildfire Related Resolutions SPD-1 – SPD-12..... 24
- Appendices 28

Appendix A: CPUC/CWDB Memorandum of Understanding 1
Appendix B: Workforce Education and Training Resources 1

SECTION 1 Executive Summary

INTRODUCTION

The California Public Utilities Commission's (CPUC) mission is to regulate services and utilities, protect consumers, safeguard the environment, and assure Californians access to safe and reliable utility infrastructure and service. In accordance with the CPUC's institutional values of accountability, excellence, integrity, open communication, and stewardship, the CPUC created the Environmental and Social Justice (ESJ) Action Plan to serve as both a commitment to furthering ESJ principles, as well as an operating framework with which to integrate ESJ considerations throughout the agency's work.

To ensure fair and inclusive service for all Californians and reach the state's climate goals objectives, the CPUC must recognize that there are segments of California's population that encounter greater challenges in accessing clean, secure, and reasonably priced utility services. To carry out its mission effectively, the CPUC recognizes the importance of directing resources toward these communities that have historically been underserved. The CPUC also acknowledges that its choices could either exacerbate or perpetuate existing disparities within these Environmental and Social Justice (ESJ) communities. The ESJ Plan signifies CPUC's ongoing commitment to mitigating and eradicating continued harm to these communities.

One of the nine goals in the ESJ Action Plan is to promote high road career paths and economic opportunity for residents in ESJ communities. The ESJ Action Plan incorporates the Memorandum of Understanding with the California Workforce Development Board to provide opportunities for the Commission to maximize its jurisdiction and authority to promote high road careers.

This white paper serves as a primer to the *ESJ High Road Workforce En Banc* co-hosted by the CPUC and California Workforce Development Board (CWDB) in Sacramento, California, on October 17, 2023. It aims to summarize current CPUC and CWDB policies towards workforce development, with a focus on disadvantaged communities, and provides a background on legislative efforts, as well as examples of local efforts from CPUC and CWDB partners.

SECTION 2 Purpose of the En Banc

ADVANCING CALIFORNIA'S WORKFORCE FOR A CLEAN ENERGY FUTURE

In 2019, the CPUC adopted the ESJ Action Plan to demonstrate our commitment to furthering principles of environmental and social justice and to serve as an operating framework to integrate ESJ considerations throughout the agency's work. Goal 7 of the ESJ Action Plan focuses on building high road career paths and economic opportunity for residents in ESJ communities. The Commission defines "high road" as a set of economic and workforce development strategies to achieve economic growth, economic equity, shared prosperity, and a clean environment.

Governor Gavin Newsom issued Executive Order (EO) N-19-19¹ and EO N-79-20² to accelerate climate change mitigation efforts and build a more sustainable and inclusive economy. Following the ESJ Action Plan and Executive Orders, the CPUC and the CWDB signed the first-ever Memorandum of Understanding (MOU) to collaboratively ensure that investments in clean energy and transportation sustainability result in high-quality jobs and greater access to career opportunities for disadvantaged Californians.

The CWDB, which is the Governor's agent for the development, oversight, and continuous improvement of California's workforce development system, assists the Governor in setting and guiding workforce development policy, developing innovative initiatives through statewide programs, and expanding the High Road vision. The CPUC and the CWDB signed a MOU to coordinate economic and workforce development planning, analysis, and implementation activities.

¹ Executive Order N-19-19, September 2019: <https://www.gov.ca.gov/wp-content/uploads/2019/09/9.20.19-Climate-EO-N-19-19.pdf>.

² Executive Order N-79-20, September 2020: <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf>.

As California transitions to a clean energy future, it is important to integrate economic and workforce development in energy and climate policies to achieve the state’s goals.

The ESJ High Road Workforce En Banc will facilitate discussions continued among the CPUC, CWDB, California Workforce & Labor Development Agency, Office of Energy Infrastructure Safety, community-based organizations, labor unions, academia, Tribal representatives, and the regulated investor-owned utilities. The discussions will facilitate gaining a better understanding of the status of current workforce initiatives, challenges, and opportunities in key energy, water, communications, and transportation policy areas, including energy efficiency, renewable energy, building decarbonization, vegetation management, communication, and transportation electrification.

The ESJ Workforce En Banc aims to heighten awareness of the critical role the workforce plays in California achieving its climate and energy goals, including supporting the development of well-paying jobs and careers for underserved communities. Additional information about the En Banc is available on the CPUC website.³



³ <https://www.cpuc.ca.gov/ESJactionplan>

SECTION 3 Environmental and Social Justice Action Plan

COMMITMENT TO EQUITY AND RESILIENT COMMUNITIES



On April 7, 2022, the CPUC adopted Version 2.0 of its Environmental and Social Justice (ESJ) Action Plan to guide its decisions and ensure its broad regulatory authority continues to advance equity throughout the state.

Environmental justice is defined as “the fair treatment and meaningful involvement of all people in development, implementation, and enforcement of environmental policies.” The ESJ Action Plan Version 2.0 recognizes the disproportionate impacts of environmental hazards in communities of color and identifies ways the CPUC can use its regulatory authority to address funding and resources for these communities to mitigate the outcomes of past inequities and barriers.

Over the last two years, the CPUC integrated ESJ principles into its decision-making processes across the essential utility services the CPUC regulates. Version 2.0 reflects comments received from the public and learnings from ongoing implementation activities outlined in Version 1.0, including updated priorities due to COVID-19, rising utility rates and the impacts on vulnerable Californians, and alignment with the CPUC’s diversity, equity, and inclusion activities.

While the goals in Version 2.0 of the ESJ Action Plan largely remain the same, the updated ESJ Action Plan outlines a workplan to achieve each of the nine goals and objectives centered on themes of equity, access, engagement, resiliency, safety and enforcement, metrics, accountability, and staff training.

The Commission established the following ESJ Action Plan goal and objectives for promoting high road careers in its policies and ESJ communities:

Goal 7: Promote high road career paths and economic opportunity for residents of ESJ communities.	
7.1	Maximize Authority to Promote High Road: Continue implementing MOU with CWDB to develop proceeding record and outreach to nontraditional partners to understand opportunities for CPUC to maximize jurisdiction and authority to promote high road careers.
7.2	Educate on High Road Careers: Provide opportunities to educate CPUC staff on high road career paths, best practices, and opportunities to integrate into CPUC programs.
7.3	Partner with Utilities and Sister Agencies: Engage sister agencies with authority and expertise on workforce-related issues and regulated utilities in promoting economic opportunity for ESJ communities.

The En Banc will facilitate discussions between the CPUC, CWDB, California Labor & Workforce Development Agency, Office of Energy Infrastructure Safety, local community-based organizations, academia, Tribal representatives, and the regulated investor-owned utilities to better understand how the ESJ Action Plan has been implemented so far and what plans and opportunities exist to continue implementing policies in furtherance of the ESJ Action Plan objectives.



SECTION 4 CPUC/CWDB Memorandum of Understanding

PARTNERING TO PROMOTE HIGH ROAD CAREERS



With the implementation of the ESJ Action Plan and directives in Governor Newsom’s Executive Orders, the CPUC executed a Memorandum of Understanding (MOU) with the CWDB on October 30, 2020.

As the Governor’s agent for the development, oversight, and continuous improvement of California’s workforce development system, the CWDB is tasked with setting and guiding workforce development policy, developing innovative initiatives through statewide programs, and expanding the High Road vision through its field branch.

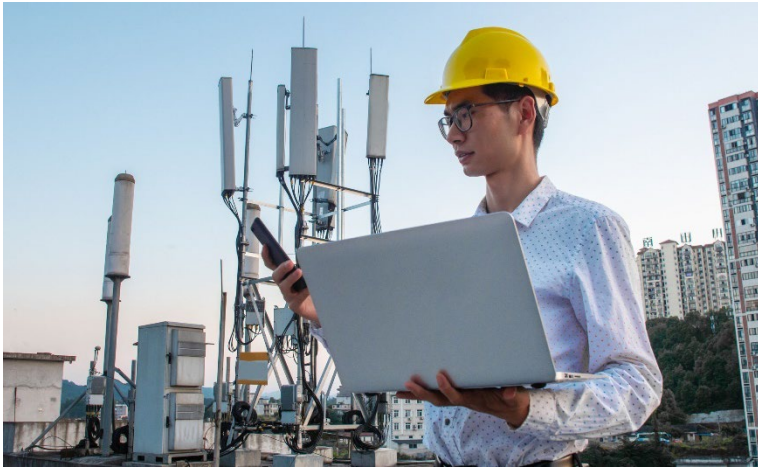
In developing the MOU, the agencies realized their shared interest in leveraging CPUC jurisdiction and authority (e.g., incentive programs, regulations and rulemakings, strategic plans, research studies, etc.) to deliver economic equity (i.e., the elimination or reduction in income inequality and other economic disparities between ESJ and non-ESJ communities).

The MOU enables the CPUC to receive expertise from the CWDB about implementing its goal for promoting economic and workforce development opportunities in ESJ communities. Energy efficiency, renewable energy, transportation electrification, building decarbonization, and vegetation management are the five areas or topics of interagency collaboration listed in the MOU, with the first three having immediate priority.



SECTION 5 Workforce and Climate Policies

PUTTING CALIFORNIA ON THE HIGH ROAD



In June 2020, the CWDB submitted the report, “Putting California on the High Road: A Jobs and Climate Action Plan for 2030,” to the Legislature pursuant to Assembly Bill (AB) 398 (E. Garcia, Chapter 135, Statutes of 2017). The report, prepared by the UC Berkeley Center for Labor Research and Education, offers the State of California a vision for integrating economic and

workforce development into major climate policies and programs to help achieve California’s major climate goals: achieving 2030 greenhouse gas emission reduction targets and transitioning to a carbon neutral economy by 2045.

With chapters corresponding to each of the six sectors of the 2017 Climate Scoping Plan, the report responds to the direction in AB 398, focusing on job quality and social equity concerns in assessing the impacts of climate measures on employment and training. It also emphasizes strategies to ensure disadvantaged communities and workers are involved in creating, and benefiting from, the economic gains generated by the work required to stabilize the climate.

In mandating this report, the Legislature understood that the state’s massive climate investments represent a significant opportunity for inclusive economic growth—and that, without a thoughtful approach, this transition could become a missed opportunity, leaving many communities and workers behind. This report creates a framework for maximizing the positive labor market outcomes of our climate investments: to simultaneously advance equity and mobility for all Californians, while delivering skills and competitiveness for California employers. The report lists three key take-away messages for policymakers and other readers:

- First, labor should be considered an investment rather than a cost – and investments in growing, diversifying, and upskilling California’s workforce can boost returns on climate mitigation efforts. In other words, well trained workers are key to delivering emissions reductions and moving California closer to its climate targets.
- Second, California can achieve greater social equity in labor market outcomes for disadvantaged workers and communities when policymakers pay attention to job quality. Identifying high-quality careers (i.e., ones that offer family-supporting wages, employer-provided benefits, worker voice, and opportunities for advancement) first, and then building pathways up and into such careers, is critical to ensuring that investments in workforce education and training meaningfully improve workers’ economic mobility.
- Lastly, deliberate policy interventions are necessary to facilitate advancing job quality and social equity as California transitions to a carbon neutral economy, just as such efforts are required to reduce pollution, protect human and environmental health, and safeguard communities from an already-changing climate.

This report provides insights into these climate and workforce issues and makes recommendations for simultaneously promoting equity and mobility for workers, skills and competitiveness for employers and industry, and long-term environmental sustainability and climate resilience for the state – i.e., a roadmap for putting California’s workforce development and climate action plans on the high road.



SECTION 6 California's Clean Energy Transition

BUILDING THE ELECTRICITY GRID OF THE FUTURE



In July 2021, Governor Gavin Newsom released California's *Electricity System of the Future*, a roadmap to a future where clean electricity increasingly powers the daily lives of Californians. In May 2023, the Governor updated the roadmap with the release of California's *Clean Energy Transition Plan*, which provided the state's progress toward a clean energy future and an implementation plan of a 100-percent clean, resilient

electric grid by 2045.

While California's clean energy agenda is ambitious, California exceeded many of its preliminary targets years ahead of schedule. California maintains nearly 35,000 MWs of renewable resources already serving the grid, with 9,000 MWs of that capacity coming on-line within the last three years. To provide 100 percent clean electricity, current studies show California will need to build an additional 148,000 MWs of clean energy resources by 2045.⁴

California is positioned to simultaneously confront the climate crisis and build a more resilient, just, and equitable future for all communities through a bold suite of climate goals including:

- Carbon neutrality by 2045

⁴ Governor Gavin Newsom. (2023). Building The Electric Grid of the Future: California's Clean Energy Transition Plan, May 2023, at 4. Retrieved from <https://www.gov.ca.gov/wp-content/uploads/2023/05/CAEnergyTransitionPlan.pdf>.

- 100 percent clean electricity by 2045
- 25,000 MWs of offshore wind by 2045
- 100 percent zero emission vehicle new car sales by 2035
- 7 million climate-friendly and climate ready homes by 2035
- 6 million heat pumps in buildings by 2030

These goals will yield major benefits to Californians, including 71 percent less air pollution, 85 percent less greenhouse gas emissions, 94 percent less gas consumption, \$200 billion savings from health costs associated with pollution, and 4 million new jobs.⁵

Specifically, regarding distributed system upgrades, the plan emphasizes the importance of supporting efforts to expand a workforce that is trained, skilled, and capable of constructing the needed infrastructure to accomplish these objectives. Upgrades to the electric distribution system are needed and must meet local needs.



⁵ Governor Gavin Newsom. (2023). Building The Electric Grid of the Future: California’s Clean Energy Transition Plan, May 2023, at 8. Retrieved from <https://www.gov.ca.gov/wp-content/uploads/2023/05/CAEnergyTransitionPlan.pdf>

SECTION 7 Tribal Initiatives

CALIFORNIA INDIAN MANPOWER CONSORTIUM, INC.



The California Indian Manpower Consortium, Inc. (CIMC), funded by the federal Workforce Innovation and Opportunity Act, was formally created in 1978 under state law. The purpose of the nonprofit organization is to provide for the social welfare and educational and economic advancement of its member tribes, groups, organizations, Indians, and other Native Americans living in its service area, which includes a

large part of California, Illinois, and three counties in Iowa.

The membership of the CIMC includes federally recognized Indian tribes, reservations, bands, colonies, terminated rancherias, American Indian groups, entities, and public or non-profit organizations satisfying the requirements set forth in the By-Laws of the CIMC and as agreed to in the Consortium Agreement formally approved by the membership.

The primary purpose of the CIMC is to offer training, employment, and other activities designed to meet the employment and training needs of the client population. Other purposes of the CIMC include:

- Promote community self-help programs and provide direct services to the eligible American Indian population to become economically self-sufficient and to alleviate poverty in the rural, reservation, and urban areas through Community Service Block Grant funding.
- Provide professional economic development services to assist American Indian tribes and organizations in developing funding strategies and public-private partnerships that will lead to greater economic vitality.
- Promote and provide programs and activities designed to improve the educational levels of Native American youth and adults.

MEMORANDUM OF AGREEMENT TO IMPLEMENT TRIBAL “477 PROGRAM”

On October 7, 2022, 12 federal agencies⁶ signed a new Memorandum of Agreement (MOA) to implement Tribal “477 Program” to consolidate important federal funding for job training, workforce development, and other economic development purposes into a single plan with a single reporting requirement.

The last MOA was signed by the same 12 federal agencies in 2018 without Tribal consultation. The MOA required renegotiation to address concerns that the 2018 MOA made it more difficult for Tribal Nations to take advantage of the program and consolidate their funding.

The new MOA will advance the Administration’s goal of strengthening the economic stability and mobility of families in Indian Country. It will also better enable Tribal Nations to build up the economic resilience of communities through employment and training services based on Tribal goals and initiatives.

THE COUNCIL FOR TRIBAL EMPLOYMENT RIGHTS (CTER)

The Council for Tribal Employment Rights (CTER) is a community-based Indian owned and operated non-profit organization that is comprised of and represents the interests of over 300 Tribal and Alaska Native Villages that are covered by employment rights ordinances. CTER was

⁶ Some of the federal agencies include Department of Interior, which will administer the program, Department of Labor, Department of Education, Department of Health and Human Services, Department of Agriculture, Department of Commerce, Department of Energy, Department of Homeland Security, Department of Housing and Urban Development, Department of Transportation, Department of Veterans Affairs, and Department of Justice. For more information, please see Appendix B.

founded in 1977 and is governed by a 16-member Board of Directors which consists of Tribal Employment Rights Office (TERO) representatives from 8 regions of the nation.

CTER's training and consulting services are specifically tailored to meet the needs of Tribal communities. The organization has provided direct on-site training and technical assistance to over 300 Indian tribes and Alaska Native Villages. CTER training programs include: Introduction to Basic TERO, Management and Operation of TERO Program, TERO Commission Training, Charge Investigation, Indian Preference in Employment/Contracting, Federal Law & Indian Preference, Sexual Harassment, Tribal workforce Utilization& Empowerment, Youth Motivation & Entrepreneurship, and Cultural Synergy-Beyond Diversity.



SECTION 8 Select CPUC Proceedings

CPUC WORKFORCE POLICIES



Since the implementation of the ESJ Action Plan, the Commission issued several Decisions and Resolutions promoting workforce development and training. This section highlights select Decisions in the Communications, Energy, Transportation, and Wildfire Safety sectors adopted by the Commission that promote high road career paths and economic opportunities for ESJ communities.

Communications

D.21-04-008 – Approving Restructuring of Frontier Communications

The Commission issued Decision (D.) 21-04-008 on April 20, 2021, approving the corporate restructuring of Frontier Communications Corporation and its five California subsidiaries as part of its Chapter 11 bankruptcy proceedings, with conditions.⁷

In D.21-04-008, the Commission held the restructuring, as supplemented by the three settlement agreements by Frontier and intervenors: (1) Cal Advocates, TURN, and CWA District 9, (2) CETF, and (3) Yurok Tribe, and the additional conditions set forth in the decision, is in the public interest

⁷ *Application of Frontier Communications Corporation, Frontier California Inc. (U1002C), Citizens Telecommunications Company of California Inc. (U1024C), Frontier Communications of the Southwest Inc. (U1026C), Frontier Communications Online and Long Distance Inc. (U7167C), Frontier Communications of America, Inc. (U5429C) for Determination that Corporate Restructuring is Exempt from or Compliant with Public Utilities Code Section 854 U.S. Bankruptcy Court for the Southern District of New York, Case No. 20-22476. Application (A.) 20-05-010, filed May 22, 2020. See, D.21-04-008 at p. 7-8.*

and satisfied the requirements for approval of a corporate transfer of control under Pub. Util. Code § 854. Among other things, the settlement agreements impose requirements on Frontier regarding investment, deployment, service quality, and the specific concerns of the Yurok Tribe. The Settlement Agreement between Frontier, Cal Advocates, TURN, and CWA includes workforce specific terms.⁸ Despite efforts to address Frontier’s reliance on independent contractors, the Settlement Agreement does not include commitments to reduce the number of independent contractors in California.

The Decision requires that Frontier will not decrease the total employee technician staffing level in California through 2023. Frontier also will commit to evaluating and increasing its employee technician staffing levels to meet the General Order 133-D standards through December 31, 2023, as determined by Frontier in consultation with Cal Advocates, TURN and CWA.⁹ Within 1 year of its emergence from Chapter 11, Frontier will offer and provide training for its employee technicians in California on mixed generation technologies.¹⁰ In addition, Frontier shall meet and confer with CWA quarterly regarding updates on settlement commitments, service quality, hiring, training and any issues arising under its collective bargaining agreements with CWA.¹¹ At the expense of Frontier, an independent Compliance Monitor is in place to review and report on merger compliance.¹²

D.20-04-008 – T-Mobile/Sprint Merger Conditions

⁸ The Settlement Agreement was included in the Decision as Attachment 1. Available at <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M379/K129/379129234.pdf>

⁹ D.21-04-008, Attachment 1 Settlement Agreement ¶7, p. 9.

¹⁰ *Id.*, at Attachment 1 Settlement Agreement ¶38, p. 22

¹¹ *Id.*, at Attachment 1 Settlement Agreement ¶37, p. 22.

¹² *Id.*, pp. 69-70; OP 4(e).

On April 27, 2020, the Commission issued D.20-04-008, approving the merger of Sprint Corporation and T-Mobile, subject to conditions.¹³ T-Mobile entered into a Memorandum of Understanding (MOU) with the National Diversity Council (NDC)¹⁴ to formalize agreements to increase diversity in their California workforce, including exploring partnerships and establishing training programs to support both entry-level and advancement opportunities for workers. The decision adopted the conditions in the NDC MOU to overcome the “presumption of anti-competitive effects” from the proposed merger and establish that the merger was in the public interest.¹⁵ Workforce requirements in the decision include requiring New T-Mobile¹⁶ to have a net increase in jobs in California, such that the number of full time and full-time equivalent New T-Mobile employees in the State of California at three years after the close of the transaction shall be at least 1,000 greater than the total number of full-time and full-time equivalent employees of Sprint, Assurance Wireless, and T-Mobile in the State of California as of April 2020.¹⁷ In addition, New T-Mobile must hire 1000+ new employees at the Kingsburg customer experience center in Fresno County with a focus on new hires coming from the region. These hiring efforts should take

¹³ *In the Matter of the Joint Application of Sprint Communications Company L.P. (U5112) and T-Mobile USA, Inc., a Delaware Corporation, For Approval of Transfer of Control of Sprint Communications Company L.P. Pursuant to California Public Utilities Code Section 854(a)*. A.18-07-011, filed July 13, 2018.

¹⁴ The MOU between T-Mobile and the National Diversity Council is included in the Decision as Attachment 1. Available at <https://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M335/K031/335031075.pdf>

¹⁵ D.20-04-008 at p. 43. Communications Workers of America District 9 (CWA), California Emerging Technologies Fund (CETF), along with The Utility Reform Network (TURN) and Greenlining Institute were additional parties.

¹⁶ Post-Transaction merged company is sometimes referred to as “New T-Mobile.”

¹⁷ D.20-04-008, OP 25, p.57.

place in consultation with local workforce development boards, economic development agencies and nearby community colleges.¹⁸

The NDC MOU specifically requires New T-Mobile increase the diversity of its board, establish a Diversity and Inclusion Office, and hire and promote a California workforce (at all levels) that reflects the communities where it operates, through mentorship, recruitment, development, and training programs.¹⁹ New T-Mobile will invest in local community programs and trade schools designed to train and certify people for employment in telecommunications and related industries. New T-Mobile shall also invest in local programs to prepare people of color to succeed in the workplace, including advancement opportunities from entry level to senior management.²⁰

Annual reports on the merger must include “Total full time and full-time equivalent employees by business units in the State.” Reports are due annually through fourth quarter of 2026.²¹ A Compliance Monitor, at the expense of New T-Mobile, is in place to review and report on merger compliance.²²

Energy

D.21-06-015 – Decision on Large Investor-Owned Utilities’ and Marin Clean Energy’s CARE, ESA, and FERA Program Applications for Program Years 2021-2026

¹⁸ *Id.*, OP 26, p. 57.

¹⁹ *Id.*, OP 32-35, p. 60.

²⁰ *Id.*, OP 36, p. 60-61.

²¹ *Id.*, OP 40-41, p. 62, 64.

²² *Id.*, OP 38-39, p. 61-62.

On June 7, 2021, the Commission issued D.21-06-015 approving, among other things, the Energy Savings Assistance (ESA) program goals and budgets for the 2021-2026 program cycle.²³ In D.21-06-015, the Commission acknowledges that the ESA contractor workforce is the backbone of the program and contributes largely to the success of the program and the achievements of program goals. The decision extends equitable opportunities to the workforce by adopting workforce, education, and training (WE&T) strategies to develop a better skilled workforce for the benefit of the investor-owned utilities (IOUs) and their selected contractors.

Decision 21-06-015 also directs the IOUs to align with the CWDB's Energy and Climate Jobs initiatives and shape ESA training with the Multi-Craft Core Curriculum. Lastly, the Commission directs the IOUs to establish formal partnerships between the IOUs, contractors, apprenticeships, and community college programs to better integrate ESA into energy efficiency workforce education, including organizations that assist in developing ESA workers into more advanced positions, and CBOs that serve in disadvantaged or underrepresented communities.

D.23-04-042 – Decision on Phase 2-C of Electric Program Investment Charge Rulemaking

On April 28, 2023, the Commission issued D.23-04-042, directing Electric Program Investment Charge (EPIC) Administrators to engage with ESJ communities early as they plan their Electric Program Investment Charge (EPIC) 4 projects, including consultation with California Tribes on potential for investment or workforce development on California Tribal Lands. To support this requirement, EPIC Administrators should develop targeted and coordinated engagement strategies and seek early input from ESJ communities prior to developing their EPIC investment plans.²⁴

²³ *Application of Pacific Gas and Electric Company for Approval of Energy Savings Assistance and California Alternate Rates for Energy Programs and Budgets for 2021-2026 Program Years. (U39M)*, A.19-11-004, filed November 4, 2019.

²⁴ D.21-04-042, p. 19.

Beginning with the EPIC 4 Investment Plans, EPIC Administrators shall consider the ESJ Action Plan, the Commission’s Distributed Energy Resources Action Plan, and the federal Justice40 Initiative when developing EPIC investment plans. The EPIC 4 Investment Plans shall dedicate at least 25 percent of technology demonstration and deployment (TD&D) funds toward projects located in and benefitting disadvantaged communities and at least an additional 10 percent allocation of TD&D funds toward projects located in and benefitting low-income communities. In their annual reports, EPIC Administrators shall indicate how their investment plans meet the standards set in these initiatives.²⁵ The Justice40 Initiative, established by President Biden’s Executive Order (EO) 13985 (2021), directs 40 percent of the overall benefits of federal investments to flow to disadvantaged communities, including in areas such as clean energy and energy efficiency, clean transit, affordable and sustainable housing, training and workforce development, the remediation and reduction of legacy pollution, and the development of clean water infrastructure.²⁶

D.23-06-055 – Decision Authorizing Energy Efficiency Portfolios for 2024-2027 and Business Plans for 2024-2031

The Commission issued D.23-06-055 on July 3, 2023, approving the 2024-2031 business plans for nine energy efficiency portfolio administrators.²⁷ The decision also approves a new regional energy network (REN) called Rural REN, to deliver energy efficiency benefits to underserved customers

²⁵ D.23-04-042, OP 2, p. 46.

²⁶ On July 20, 2021, the Office of Management and Budget released Interim Implementation Guidance for the Justice40 Initiative, M-21-28 (OMB Interim Guidance).

²⁷ *Application of Pacific Gas and Electric Company for Approval of 2024-2031 Energy Efficiency Business Plan and 2024-2027 Portfolio Plan*, and related matters. (U39M.), A.22-02-005 (consolidated), filed February and March 2022. The portfolio administrators include: Pacific Gas and Electric Company (PG&E); Southern California Edison Company (SCE); San Diego Gas & Electric Company (SDG&E); Southern California Gas Company (SoCalGas); Marin Clean Energy (MCE); Bay Area Regional Energy Network (BayREN); Southern California Regional Energy Network (SoCalREN); and the Tri-County Regional Energy Network (3C-REN).

and communities in the rural areas all over California in four different regions. The decision also approves objectives that would accelerate training, including upskilling of existing workers and training for new workers, and increase new opportunities for employment. Specifically, the decision approves a proposal from Rural REN to provide at-risk, low-income youth ages 16-22 with training to conduct Green House Calls and community members with energy efficiency and electrification training, as well as career readiness support and job placement.

Transportation

D.21-07-028 – Decision Setting Near-Term Priorities for Transportation Electrification Investments by the Electrical Corporations

On July 21, 2021, the Commission issued D.21-07-028 and adopted guidance for the near-term priority transportation electrification investments for Pacific Gas Electric Company, Southern California Edison Company, San Diego Gas & Electric Company, Liberty Utilities LLC, Bear Valley Electric Service, and PacifiCorp. The Commission directed these electrical corporations to integrate ESJ requirements for any transportation electrification infrastructure proposals, as guided by the ESJ Action Plan. Proposals should integrate comprehensive project agreements that address both job quality and job access, such as application of the Skilled & Trained Workforce requirement, and use of Community Workforce Agreements for large-scale Transportation electrification projects.²⁸

D.22-11-040 – Decision on Transportation Electrification Policy and Investment

The Commission issued D.22-11-040 on November 21, 2022, adopting a long-term transportation electrification (TE) policy framework for electrical corporations, including a statewide customer side charging infrastructure rebate program.²⁹ The framework establishes specific goals, requirements,

²⁸ D. 21-07-028, pp. 31-34.

²⁹ *Order Instituting Rulemaking to Continue the Development of Rates and Infrastructure for Vehicle Electrification*, R.18-12-006, issued December 19, 2018.

and implementation strategies to ensure TE investments resulting from this program create high-quality jobs, facilitate access to these jobs for targeted populations, and address the need for a skilled, trained, and diverse workforce.³⁰ Specifically, the Commission directs the Program Administrator to impose specific workforce training requirements—to be finalized with stakeholder input—on contractors and their subcontractors who install electric vehicle service equipment (EVSE) and any other electrical infrastructure in the program.

Wildfire Safety

R.18-10-007 – Order Instituting Rulemaking to Implement Electric Utility Wildfire Mitigation Plans Pursuant to Senate Bill 901

The Commission issued Rulemaking (R.) 18-10-007 on October 25, 2018 to implement Senate Bill (SB) 901 (2018, Dodd) related to electric utility-caused catastrophic wildfire, including to review electrical corporations' Wildfire Mitigation Plans (WMPs). In a series of decisions, the CPUC acted on the 2019 WMPs of all electrical corporations, including workforce implementations.³¹

2020 Wildfire Related Resolutions WSD-003 – WSD-009

In 2020, the CPUC approved Resolutions (Res.) WSD-003 – WSD-009, that address the individual 2020 WMPs of Pacific Gas and Electric Company (PG&E), Southern California Edison Company (SCE), San Diego Gas and Electric Company (SDG&E), Liberty Utilities (Liberty), PacifiCorp, Bear Valley Electric Service, and, together, Trans Bay Cable, LLC, and Horizon West Transmission, LLC. These seven resolutions, along with the associated Action Statements and the Guidance Resolution WSD-002, represented the totality of Wildfire Safety Division's (WSD) evaluation of the 2020 WMPs. The conditions for approval of the electrical corporations' WMPs were designed to

³⁰ D.22-11-040, pp. 33-35; 145-147. Pub. Util. Code § 740.12(a)(1)(F) states: “[w]idespread transportation electrification should . . . create high-quality jobs for Californians.”

³¹ *See*, D.19-05-037, D.19-05-038, D.19-03-039, D.19-05-040, D.19-05-041, D.19-05-036.

address the gaps identified in them and included the following findings regarding statutory workforce requirements.

WSD-003 – Resolution Ratifying Action of the WSD on PG&E’s 2020 WMP. Dated June 11, 2020. This Resolution addresses PG&E’s lack of details on how to address personnel shortages. PG&E has experienced personnel shortages that have had an impact on its wildfire mitigation initiatives, and particularly on vegetation management. During the February 2020 workshops and in its WMP, PG&E expressed concern regarding talent/workforce shortages for vegetation management. Considering its extensive vegetation management work scale and scope, PG&E did not explicitly discuss a recruitment strategy, which would be critical to its completion of these initiatives. The Resolution states that PG&E should provide a description of its recruitment and training for vegetation management talent and how it plans to address this constraining factor in scaling its vegetation management programs. PG&E should also provide a description of its strategy for direct recruiting and indirect recruiting via contractors and subcontractors.

WSD-004 – Resolution Ratifying Action of the WSD on SCE’s 2020 Wildfire Mitigation Plan. Dated June 11, 2020. Based on SCE’s WMP, SCE is investing early in its workforce with regular testing of emergency scenarios through learning from real-world incidents and drills. SCE is also focused on giving real-time feedback to its workforce for improvement and best practices.

WSD-005 – Resolution Ratifying Action of the WSD on SDG&E’s 2020 Wildfire Mitigation Plan. Dated June 11, 2020. SDG&E’s emergency planning and preparedness plans consist of customer support programs, emergency communications, coordination with public safety partners, and planning/preparation for workforce mobilization under an Incident Command System (ICS) framework designed for service restoration. SDG&E states it is adding personnel for after-action review and PSPS coordination.

WSD-007 – Resolution Ratifying Action of WSD on Liberty’s 2020 Wildfire Mitigation Plan. Dated June 11, 2020. The Resolution addresses Liberty’s challenge of attracting and retaining employees in the high-cost Lake Tahoe community. The Resolution orders that in its first quarterly report, Liberty shall detail: i) its recruitment and retention strategy for labor, considering the high

cost of living in its service territory, and ii) how it plans to deal with this constraining factor in scaling its WMP programs and initiatives.

WSD-008 – Resolution Ratifying Action of the WSD on PacifiCorp’s 2020 WMP. Dated June 11, 2020. This Resolution addresses PacifiCorp’s deficient reporting on its wildfire mitigation program focused on recruiting and training vegetation management personnel. The Resolution approves requiring PacifiCorp to provide more detail regarding vegetation management workforce resources and constraints, and solutions to constraints if felt.

WSD-013 – Resolution Ratifying Wildfire Safety Division Action Statement on Bear Valley Electric Services, Inc. (BVES) 2020 WFM Refiled. Dated January 1, 2021. The Resolution includes a condition that in its 2021 WMP Update, BVES shall, among other things, address plans for coordination with first responders and other public safety organizations, plans to prepare for and restore service, including workforce mobilization and prepositioning of equipment and employees, and a showing that it has an adequate and trained workforce to promptly restore service after a major event.

2021 Wildfire Related Resolutions WSD-017 – WSD-022

In 2021, the CPUC Wildfire Safety Division (WSD) transitioned to the state Natural Resources Agency, becoming the Office of Energy Infrastructure Safety (OEIS or Energy Safety) and Resolutions were drafted by the CPUC Safety Policy Division (SPD) to ratify Energy Safety’s actions as required by statute.

WSD-017 – Resolution Ratifying Action of the WSD on PacifiCorp’s 2021 WMP. Dated July 15, 2021. The Resolution addresses PacifiCorp’s deficient reporting on its service restoration workforce personnel and requires PacifiCorp to discuss the type and number of personnel classifications it employs, and the number of contractors hired for service restoration.

WSD-018 – Resolution Ratifying Action of WSD on Liberty’s 2021 WMP. Dated July 15, 2021. The Resolution addresses Liberty’s deficiency to demonstrate the adequacy of its service restoration workforce by requiring Liberty to discuss the type and number of personnel classifications it employs and the number of contractors it has hired for service restoration.

WSD-019 – Resolution Ratifying Action of the WSD on SDG&E’s 2021 WMP. Dated July 15, 2021. This Resolution addresses SDG&E’s deficient reporting on its workforce size and training to promptly restore service after an outage. The Resolution requires that SDG&E report on the size of workforce available to restore service after an outage and provide the number of trainees that complete its Apprentice Lineman program.

WSD-020 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on SCE’s 2021 WMP. Dated August 19, 2021. In its WMP, SCE provides all required information regarding worker qualifications within each listed role, workforce training and processes to improve communication and service restoration.

WSD-021 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on PG&E’s 2021 WMP. Dated October 21, 2021. The Resolution orders PG&E to consider increasing its quality verification audit goal for 2021 and beyond, and how it is promoting and ensuring the continued professional growth of its vegetation management personnel.

WSD-022 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on Bear Valley’s 2021 WMP. Dated September 9, 2021. In its 2021 WMP, Bear Valley does not demonstrate the adequacy of its service restoration workforce. The Resolution remedies this by ordering Bear Valley to discuss the type and number of personnel classifications it employs and the number of contractors it has in place for service restoration.

2022 Wildfire Related Resolutions SPD-1 – SPD-12

SPD-1 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on SDG&E’s 2022 WMP. Dated August 25, 2022. SDG&E reported on all levels of its Qualified Electrical Worker Skills Training Center curriculum, including training for electric troubleshooters, fault finders, line assistants, and apprentices. SDG&E reports that it continues to participate in a cross-utility collaboration with the Utility Arborist Association and academia to develop and implement a “Utility Arborist Trainee” curriculum for California community colleges. Graduates of the training program are Line Clearance Qualified workers eligible for employment with SDG&E’s contracted tree trimming companies. The Resolution requires that SDG&E must provide in its 2023 WMP more details on utility vegetation management workforce training initiatives it is

developing and supporting, the number of trainees completing the classes or other training programs, how many of those graduates are joining the utility vegetation management workforce, and any additional details on how SDG&E is addressing utility vegetation management labor constraints.

SPD-2 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on SCE’s 2022 WMP update. Dated August 25, 2022. SCE provides all required information regarding worker qualifications and training practices within each listed role. For each role, SCE provided minimum qualifications, special qualifications, the percentage of full-time employees in the roles with relevant job titles, and the percentage of its workforce that meets listed qualifications. SCE also described its plans to improve the qualifications of its workforce. SCE implemented a dedicated, full-time PSPS incident management team (IMT). In 2021, IMT members received incident command system (ICS) training based on Federal Emergency Management Agency guidelines and National Incident Management System and Standardized Emergency Management System models. SCE planned to have all PSPS IMT members fully trained and qualified or requalified by July 1, 2022.

SPD-4 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on Trans Bay Cable’s (TBC) 2022 WMP Update. Dated October 20, 2022. To improve worker qualifications relevant to fire mitigation, TBC maintains a procedure-based training that details operational response and supporting information.

SPD-5 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on Horizon West Transmission’s (HWT) 2022 WMP Update. Dated October 6, 2022. HWT provides all required information regarding worker qualifications and training practices within each listed role. All HWT maintenance work, including asset inspections, is carried out by HWT operations personnel and qualified contractors who, by reason of training, experience, and instruction, are qualified to perform the task. Operations personnel maintain and operate the HWT facilities in accordance with good utility practice, sound engineering judgment, the guidelines outlined in applicable North American Electric Reliability Corporation (NERC) reliability standards, laws, and regulations. HWT operations personnel are trained on all relevant HWT procedures,

including regular monthly asset inspections (Wildfire Mitigation Condition Assessment Procedure), vegetation inspections (Wildlife and Vegetation Procedure), and the emergency response plan.

SPD-8 – Resolution Ratifying Action of Energy Infrastructure Safety on Liberty’s 2022 Wildfire Mitigation Plan Update. Dated January 12, 2023. Liberty provides all required information regarding worker qualifications and training practices within each listed role.

SPD-9 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on PG&E’s 2022 WMP Update. Dated December 15, 2022. PG&E reported that it increased contract and internal employee resources to validate the quality of vegetation management work, creating a quality control group in 2021. The quality control group focuses on active field observations and acts as Senior Vegetation Management Inspectors (SVMI) addressing real-time safety and compliance support in the field. To increase the pool of qualified personnel available for vegetation inspections and management, PG&E has partnered with the International Brotherhood of Electrical Workers and educational institutions to create a training program that provides the skills and knowledge needed to successfully perform tree crew work. In August 2021, PG&E began implementing knowledge assessments on specific courses (i.e., VEGM-0110, VEGM-0410, VEGM-0411, and VEGM-0450). PG&E allows an employee or contractor three attempts to pass the required training courses; if failed, the employee or contractor will be placed in a “cooling off period” before being allowed to retake the training course. The Resolution identifies areas of improvement, including retainment of inspectors and internal workforce development, benchmarking with other utilities on inspector qualifications, and asset inspections quality assurance and control.

SPD-11 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on Bear Valley Electric Service’s (BVES) 2022 WMP Update. Dated February 23, 2023. Energy Safety found that BVES’s initial 2022 Update did not provide details or information on hiring, retention, and training practices for its service restoration workforce. Energy Safety required BVES to:

- a) Provide information on, and specific examples of, hiring and retention practices and policies as they relate to BVES’s service restoration workforce, including any information on worker

titles, qualifications, certification requirements, and current numbers of BVES’s service restoration employees;

- b) Provide information on its training program for service restoration workforce, including details on when employees are required to complete trainings and what specific training BVES provide; and
- c) Provide information on its short-term contracting strategy and what this strategy entails.

In response to subparts a, b, and c, respectively, BVES provides information on its workforce hiring and retention policies, its service restoration workforce training, and its emergency support contracting. Notably, BVES reports that it fills vacancies for service restoration staff as soon as possible, conducts a yearly exercise to practice service restoration, and maintains several mutual aid contracts.

SPD-12 – Resolution Ratifying Action of the Office of Energy Infrastructure Safety on PacifiCorp’s 2022 WMP Update. Dated February 23, 2023. PacifiCorp provides all required information regarding worker qualifications and training practices within each listed role.



Appendices

Appendix A: CPUC/CWDB Memorandum of Understanding

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE CALIFORNIA PUBLIC UTILITIES COMMISSION AND THE
CALIFORNIA WORKFORCE DEVELOPMENT BOARD ON
WORKFORCE DEVELOPMENT FOR ENVIRONMENTAL AND SOCIAL JUSTICE**

PURPOSE

Pursuant to the California Public Utilities Commission's (CPUC) Environmental and Social Justice Action Plan (ESJ Action Plan), as well as directives in Governor Newsom's Executive Orders N-79-20 (EO N-79-20)¹ and N-19-19 (EO N-19-19)², the CPUC and California Workforce Development Board (CWDB) (collectively the Parties) enter into this Memorandum of Understanding (MOU) to coordinate economic and workforce development planning, analysis, and implementation activities.

The purpose of this agreement is to draw upon the expertise of the CWDB to ensure the state has the workforce and industry-based training partnerships necessary to meet its clean energy and clean transportation goals, while building pathways into the middle class and beyond for Californians who have been historically excluded from opportunity or shouldered a disproportionate share of climate and environmental costs.

The scope of this agreement includes advice and recommendations to ensure CPUC policies and regulated programs create or support high-quality jobs in the energy and transportation sectors and expand access to those jobs for priority populations through high-quality education and training.

BACKGROUND

On October 7, 2015, Governor Brown signed the Clean Energy and Pollution Reduction Act of 2015 (SB 350). SB 350 established new energy efficiency and renewable electricity targets to support California's climate goal of reducing greenhouse gas emissions to 40 percent below 1990 levels by 2030. In addition,

¹ Executive Order N-79-20, September 2020: <https://www.gov.ca.gov/wp-content/uploads/2020/09/9.23.20-EO-N-79-20-Climate.pdf>

² Executive Order N-19-19, September 2019: <https://www.gov.ca.gov/wp-content/uploads/2019/09/9.20.19-Climate-EO-N-19-19.pdf>

SB 350 directed the California Energy Commission (CEC) and the California Air Resources Board (CARB) to, among other things, study and provide recommendations on barriers for low-income customers to energy efficiency and weatherization investments as well as clean transportation and mobility investments, including those in disadvantaged communities.

On December 2016, the CEC published the *SB 350 Low-Income Barriers Study, Part A- Commission Final Report: Overcoming Barriers to Energy Efficiency and Renewables for Low-Income Customers and Small Business Contracting Opportunities in Disadvantaged Communities (Study A)*.³ Study A recommends promoting well-paying clean energy job opportunities for residents in disadvantaged and low-income communities by creating opportunities to “collaborate with state labor agencies such as the California Labor & Workforce Development Agency, the California Workforce Development Board, and the Employment Development Department on targeted workforce training and job placement initiatives to create strategies that drive clean energy job opportunities in low-income and disadvantaged communities.” (Study A, 77.)

In February 2018, CARB published the *SB 350 Low-Income Barriers Study, Part B- Overcoming Barriers to Clean Transportation Access for Low-Income Residents (Study B)*.⁴ Study B recommends maximizing economic opportunities and benefits for low-income residents from investments in clean transportation and mobility options by expanding workforce training and development. This includes the CWDB taking a lead role, in partnership with other state and local public agencies, to expand opportunities and create connections “for good quality clean transportation jobs in low-income and disadvantaged communities” as well as to expand access to workforce development programs to “support clean transportation jobs and workforce development in low-income and disadvantaged communities, especially for youth.” (Study B, 54-55.)

In February 2019, the CPUC adopted the Environmental and Social Justice Action Plan to serve as a roadmap to expand public inclusion in Commission decision-making and improve services to targeted communities in California.⁵ One of the core tenets of the ESJ Action Plan, Goal 7, tasks the CPUC with

³

https://assets.ctfassets.net/ntcn17ss1ow9/3SgKkJoNlvtS2nYVPAOmGH/7bc56e2692769abda31a2aace7b00147/TN214830_20161215T184655_SB_350_LowIncome_Barriers_Study_Part_A_Commission_Final_Report.pdf

⁴ https://ww2.arb.ca.gov/sites/default/files/2018-08/sb350_final_guidance_document_022118.pdf

⁵ www.cpuc.ca.gov/ESJActionPlan

promoting economic and workforce development opportunities in ESJ communities by developing workforce development guidelines in programs overseen by the CPUC or CPUC regulated utilities.

In September 2019, Governor Newsom signed Executive Order (EO) N-19-19 to further California's commitment to mitigate the impacts of climate change. EO N-19-19 directs all aspects of state government to continue to increase efforts to reduce greenhouse gas emissions and mitigate the impacts of climate change to build a sustainable and inclusive economy. In September 2020, Governor Newsom signed Executive Order (EO) N-79-20 to redouble California's efforts to reduce emissions from the transportation sector. EO N-79-20 directs the CPUC and other state agencies to accelerate the deployment of affordable fueling and charging infrastructure for zero-emission vehicles, and promotes the creation and retention of high-road, high-quality jobs in the transition to a carbon neutral economy. These Executive Orders reinforced the ESJ Action Plan goal and solidified CWDB's commitment to collaborate with the CPUC to improve workforce development opportunities.

In March 2020, the CWDB released California's 2020-2023 Unified Strategic Workforce Development Plan (State Workforce Plan)⁶ featuring the CWDB's vision of a high road economy which is defined by a set of goals to be achieved simultaneously: greater equity and mobility for workers, higher skills and competitiveness for employers, and long-term environmental sustainability and climate resilience for the state. Strategies to advance the high road vision through policy and programs include administering the High Road Construction Careers (HRCC) and High Road Training Partnerships (H RTP) workforce initiatives, as well as establishing partnerships between the CWDB and other state agencies – including the CPUC – to align California's transition to carbon neutrality with the State's high road vision.

ROLES AND RESPONSIBILITIES

The CPUC regulates energy utilities, telecommunications, water, railroad, rail transit, and passenger transportation companies' services and utilities, protects consumers, safeguards the environment, and assures Californians' access to safe and reliable utility infrastructure and services.

⁶ https://cwdb.ca.gov/plans_policies/2020-2023-state-plan-draft/

The CWDB oversees and continuously improves the workforce system in California, which encompasses a wide array of work including: policy development, workforce support and innovation, and performance assessment, measurement, and reporting. In addition to administering innovative workforce development programs, the CWDB works with a multitude of public and private organizations at the state and local levels to develop a common policy vision for the provision of workforce services in the state.

SHARED PRIORITIES

The Parties share the following priorities for effective communication and coordination to support workforce development policies and practices to implement the State's and CPUC'S directives:

1. Establish regular intervals for information sharing on both the management and staff levels, including a process for regular information flow and opportunities for joint planning and goal setting;
2. Develop a near and long-term framework for high road economic and workforce policy and practice to meet the goals of the state including but not limited to those outlined in CPUC's ESJ Action Plan and CDWB's 2020-2023 State Workforce Plan;
3. Identify programs to examine the scope of CPUC workforce development efforts. Possible program areas include energy efficiency, building electrification, renewable energy, transportation electrification and vegetation management programs;
4. Establish or advance a set of principles and practices that can guide any CPUC-regulated program in updating or developing California's economy and workforce in a way that delivers measurable benefits for ESJ communities. These principles and practices should directly aid disadvantaged Californians by building clean energy and clean transportation career pipelines, while taking into consideration ratepayer impacts;
5. Establish targets and analyze metrics to assess economic and workforce development related activities within CPUC programs and ESJ communities.

CPUC RESPONSIBILITIES

In order to achieve optimal results for the shared priorities, the CPUC will perform the activities and functions summarized below:

1. CPUC will provide information and data to CWDB on workforce development in the energy and transportation industries regulated or overseen by the CPUC, which includes but is not limited to the following:
 - a. Elements of current workforce development programs overseen by the CPUC or CPUC regulated utilities.
 - b. To the extent available, background information on prior and current CPUC efforts to develop and implement workforce development requirements.
 - c. Industries and occupations involved in CPUC workforce development efforts.
 - d. Strategies used by CPUC to promote and track workforce development programs and outcomes.
2. Review and analyze CWDB's feedback to develop a standardized workforce development framework.
3. Designate CPUC staff and management with relevant experience to support MOU activities including data and information sharing, and other related activities in coordination with CWDB.

CWDB RESPONSIBILITIES

In order to achieve optimal results for the shared priorities, the CWDB will perform the activities and functions summarized below:

1. Provide subject matter expertise related to high road economic and workforce development strategies and best practices.
2. Evaluate, analyze, and provide feedback on CPUC or CPUC regulated industries' workforce development efforts.
3. Provide recommendations on program design, standards, and requirements to promote high road economic workforce development strategies and best practices.
4. Identify opportunities for upgrading workers' skills and contractors' competencies to perform high-quality work that meets clean energy and clean transportation goals.

5. Provide recommendations related to tracking workforce development impacts and outcomes.
6. Provide designated CWDB staff and management with relevant experience to support data and information sharing, and other related activities in coordination with CPUC.

PROTECTION OF CONFIDENTIAL INFORMATION

“Confidential Information” includes, but is not limited to, any information or data obtained pursuant to California Public Utilities Code section 583 and CPUC General Order 66-D, records exempt from public disclosure under the California Public Records Act (Government Code Section 6250, et seq.), Evidence Code section 1040, or any other applicable federal or state law, or information that is appropriately designated by the Parties to be exempt, prohibited, or privileged from disclosure by state or federal law.

The Parties shall take all necessary measures to protect Confidential Information and, consistent with the Public Records Act and any other laws requiring disclosure, treat any shared Confidential Information as confidential. The Parties shall impose all the requirements of this MOU on all of their respective officers, members, employees, and agents with access to Confidential Information. Any Confidential Information obtained by the Parties shall only be used for purposes that are consistent with existing law. The Parties agree to promptly notify each other’s legal counsel of any public records act requests they receive seeking information shared or obtained pursuant to this agreement.

All Confidential Information provided to the Parties pursuant to this MOU shall be subject to Government Code Section 6254.5, subdivision (e), which exempts from public disclosure under the California Public Records Act, confidential records that one state or local agency has provided to another state or local agency pursuant to an agreement that the latter will treat the disclosed records as confidential. The Parties agree that, as provided in Government Code Section 6254, subdivision (e), Confidential Information will only be shared with persons authorized in writing by the Executive Officer of the relevant agency (or by their authorized delegate), and that all information obtained by the Parties pursuant to this agreement will be used only for purposes that are consistent with existing law.

Confidential Information provided to the other party, shall be maintained as confidential and shall not be released without an agreement in writing from the other party, unless a court of competent jurisdiction order the release of the Confidential Information.

The Parties will make all reasonable efforts to ensure that disclosure of Confidential Information will not occur. In the event an inadvertent disclosure of Confidential Information occurs, the party making such inadvertent disclosure will notify the other party in writing and will make every reasonable effort to promptly correct the inadvertent disclosure.

If either party receives a request to release, disclose, or access any of the Confidential Information (for example, pursuant to a subpoena, discovery request, or the California Public Records Act), the party receiving the request shall promptly transmit a copy of the request to the other party that originally generated the Confidential Information. The party who originally generated the Confidential Information shall assume the lead responsibility for determining the appropriate response required by California law, and shall consult with the other party during the course of reaching its determination.

SCOPE

This MOU is made for the sole benefit of the Parties and no other person or entity shall have any rights or remedies under or by reason of this MOU. Nothing in this MOU may be the basis of any third-party challenges or appeals. Nothing in this MOU creates any rights, remedies, or causes of action in any person or entity not party to this MOU.

APPROVAL

This MOU is effective upon completion of the signatures listed below. This MOU may be executed in counterparts. Each executed counterpart shall have the same force and effect as an original instrument. Taken together, the executed counterparts shall constitute one and the same agreement.

This MOU shall not be modified except by a written agreement signed by authorized representatives of the Parties. The Parties shall meet and coordinate on issues pertaining to the effectiveness and validity of this MOU on an annual basis, or as mutually agreed upon by the Parties. Any determination that a

provision in this MOU is invalid does not invalidate any other provision of this MOU or the MOU in its entirety.

This MOU shall continue unless or until either party to the MOU determines that the MOU should be terminated. Unless otherwise provided for by the written agreement of both of the Parties, unilateral termination of the MOU shall be effected no sooner than 60 days from the date either party provides written notice of its intent to terminate the MOU. Termination of this MOU shall not affect the obligation of the Parties to maintain the confidentiality of information pursuant to this MOU.

Each party represents and warrants that it has the right, power, and authority to execute this MOU. Each party represents and warrants that it has given any and all notices, and obtained any and all consents, powers, and authorities necessary to permit that party, and the persons executing this MOU for the party to enter into this MOU.

CALIFORNIA PUBLIC UTILITIES COMMISSION:



RACHEL PETERSON
Acting Executive Director

October 29, 2020

CALIFORNIA WORKFORCE DEVELOPMENT BOARD:



TIM RAINEY
Executive Director

October 26, 2020

Appendix B: Workforce Education and Training Resources

CPUC Environmental & Social Justice (ESJ) Action Plan, Version 2.0, April 7, 2022. The ESJ Action Plan provides an operating framework to integrate ESJ considerations throughout the CPUC's work. More information on the development and current efforts to promote the ESJ Action Plan are available at: www.cpuc.ca.gov/esjactionplan

Putting California on the High Road: A Jobs and Climate Action Plan for 2030, June 2020, University of California Center for Labor Research and Education for the California Workforce Development Board. Submitted to the Legislature pursuant to Assembly Bill 398 (E. Garcia, Chapter 135, Statutes of 2017), this report provides insights into climate and workforce issues and makes recommendations for simultaneously promoting equity and mobility for workers, skills and competitiveness for employers and industry, and long-term environmental sustainability and climate resilience for the state. Available at <https://laborcenter.berkeley.edu/wp-content/uploads/2020/09/Putting-California-on-the-High-Road.pdf>

Improving the Effectiveness of Project Labor Agreements, December 2020, Estolano Advisors for The San Francisco Foundation. Developed in partnership with government, labor and community partners, this guide explores the effectiveness of project labor and/or community benefit agreements to increase local hiring, training, and workforce participation of underrepresented workers. Available at <https://sff.org/wp-content/uploads/2021/02/Project-Labor-Agreements-CBA-Final-Report.pdf>

Effective and Inclusive Child Care Solutions, The Child Care for Every Family Network. A toolkit developed to encourage childcare planning as part of effective workforce strategies to bring women and people of color into the skilled trades. The toolkit is specific to recent funding to expand the workforce for the semiconductor industry, which shares workforce development goals. Available at

https://childcareforeveryfamily.org/wp-content/uploads/2023/06/CCEF_N_FULL-TOOLKIT_CHIPS.pdf

Wildfire Mitigation Plans. Electrical corporations submit annual Wildfire Mitigation Plans (WMPs) to OEIS. WMPs describe how the electrical corporation is constructing, maintaining, and operating its electrical lines and equipment in a manner that will minimize the risk of catastrophic wildfire including information about the corporations' efforts to adequately train and maintain a sufficient workforce. More information on Wildfire Mitigation Plans can be found at

<https://energysafety.ca.gov/what-we-do/electrical-infrastructure-safety/wildfire-mitigation-and-safety/wildfire-mitigation-plans/>

Bay Area and National Equity Atlas, Developed by PolicyLink. The Bay Area and National Equity Atlas provide a comprehensive data support system to track the state of equity across the Bay Area and nationally and equip community leaders with the data needed to inform solutions for inclusive prosperity. A presentation specific to advancing workforce equity in the Bay Area is available at:

https://bayareaequityatlas.org/sites/default/files/Bay_Area_blueprint_slides.pdf. For more information on Bay Area and National Equity Atlas, visit <https://bayareaequityatlas.org/about> and <https://www.policylink.org/our-work/economy/national-equity-atlas>

Building the Electricity Grid of the Future: California's Clean Energy Transition Plan, May 2023, Office of Governor Gavin Newsom. This Clean Energy Transition Plan shows how the state is implementing the state's vision for a clean electric grid. An important aspect of this goal is to support workforce development. The report can be found at: <https://www.gov.ca.gov/wp-content/uploads/2023/05/CAEnergyTransitionPlan.pdf>

Federal Policies on Workforce

Justice40 Initiative. During his first week in office, President Joe Biden issued Executive Order 14008, Tackling the Climate Crisis at Home and Abroad. Section 223 of EO 14008 established the

Justice40 Initiative, which directs 40% of the overall benefits of certain Federal investments – including investments in clean energy and energy efficiency; clean transit; affordable and sustainable housing; training and workforce development; the remediation and reduction of legacy pollution; and the development of clean water infrastructure – to flow to disadvantaged communities (DACs). More information may be found at: <https://www.energy.gov/diversity/justice40-initiative>

Good Jobs Principles, Fact Sheet produced by U.S. Department of Labor and U.S. Department of Commerce. The Departments of Commerce and Labor recognize the importance of good jobs and partnered to identify eight principles of good, quality jobs. The principles include tips for recruitment and hiring, job security and working conditions, and skills and career advancement. The Fact Sheet can be found at <https://www.dol.gov/sites/dolgov/files/goodjobs/Good-Jobs-Summit-Principles-Factsheet.pdf>

Workforce Innovation and Opportunity Act (WIOA) was signed into law on July 22, 2014. WIOA is designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in a global economy. WIOA allocates funding towards California Indian Manpower Consortium, Inc. (CIMC), which supports workforce development for its member tribes, groups, organizations, Indians, and other Native Americans living in its service area. For information on WIOA, visit <https://www.dol.gov/agencies/eta/wioa>. For information on CIMC, visit www.cimcinc.org/aboutus.html.

Tribal Initiatives on Workforce

The Council for Tribal Employment Rights (CTER) is a community-based Indian owned and operated non-profit organization that is comprised of and represents the interests of over 300 Tribal and Alaska Native Villages that are covered by employment rights ordinances. More information can be found at: <https://cter-tero.org/about-cter/>

The Tribal “477 Program,” named for Public Law 102-477, has been implemented by a new Memorandum of Understanding (MOA) that has been signed by 12 federal agencies and went into effect as of October 7, 2022. The new MOA for the Tribal 477 Program will advance the Biden-Harris Administration’s goal of strengthening the economic stability and mobility of families in Indian Country, and better enable Tribal Nations to build up the economic resilience of communities through employment and training services based on Tribal goals and initiatives. The Fact Sheet can be found at <https://whitehouse.gov/briefing-room/statements-releases/2022/10/07/fact-sheet-biden-harris-administration-delivers-new-memorandum-of-agreement-to-streamline-employment-and-job-training-funding-for-tribal-nations/>.

California Legislation on Workforce

The Legislature has declared the importance of recruiting and training a qualified workforce to ensure safe and reliable service delivery, particularly as California prioritizes efforts to address climate change. (*See* Cal. Pub. Util. Code Sections 913.4, 961, and 977). The Legislature has requested reporting on efforts to increase the training and hiring of women, people of color, and veterans. (Cal. Pub. Util. Code Section 913.4(f)). In Cal. Pub. Util. Code Section 854.2, the Legislature developed specific requirements to preserve or increase workers during transfer of ownership through sales or mergers or other changes in control of the utility such as filing for bankruptcy protection. Section 854.2(i)(2) also requires that “wages, hours, and other terms and conditions of employment” are comparable to other California-based utilities following a transition.

Cal. Pub. Util. Code Section 5920 requires cable franchise holders who employ more than 750 total employees to report on the number of full-time employees in several job categories - both the number who are California residents and the total domestic workforce. Reporting on average pay and benefits is also required. Similarly, telephone corporations are required to report on both employee numbers including the number of California residents employed by independent contractors and contractors on behalf of the utility. (*See also* Cal. Pub. Util. Code Section 7912).

California Pub. Util. Code Section 8386 requires electric utilities to prepare and submit a wildfire mitigation plan to the Wildfire Safety Division for review and approval. Regarding workforce development, this code requires that the wildfire mitigation plan report on whether an electric utility has an adequately sized and trained workforce to promptly restore service after a major event.

Assembly Bill (AB) 2143 (Carrillo, 2022): Prevailing Wage. AB 2143 requires utilities to pay prevailing wages on solar projects over 15 kW after December 31, 2023. The bill will also require the CPUC to annually report on the progress made to grow the use of distributed energy resources in disadvantaged communities, and list, by census tract, all renewable electric generation facilities which take service under a net energy metering tariff.

Senate Bill (SB) 150 (Durazo, 2023): Construction: Workforce Development: Public Contracts. SB 150 mandates collaboration between the Department of Transportation and the CWDB to bolster California's high road construction careers program. This bill, on or after January 1, 2026, authorizes a state agency to use, enter into, or require contractors to enter into, a project labor agreement that applies to a project or set of projects with aggregate construction costs in excess of \$35,000,000 only if the agreement also includes provisions to address community benefits, as described. Community benefits may include partnerships with high road construction careers programs, as defined in Section 14005 of the Unemployment Insurance Code, local hire goals, coordination with programs that assist veterans in transitioning to civilian employment, job fairs for construction apprenticeship or preapprenticeship programs, or other methods agreed upon by the parties to promote employment and training opportunities for veterans and individuals who reside in economically disadvantaged areas. SB 150 also requires the Department of Transportation and the CWDB to convene relevant stakeholders to provide input on recommendations to establish material terms to be included as a material part of a contract.