



BlueGreen Alliance Checklist for Federal Funding Applications

The Inflation Reduction Act, Bipartisan Infrastructure Law (BIL), and CHIPS and Science Act hold the transformational potential to reduce pollution, prevent the worst impacts of climate change, make our workers and communities safer and healthier, and create the good-paying union jobs we need to give all workers in the United States the opportunity for a middle-class life. Federal and state agencies are playing a crucial role in uplifting workers and communities as they develop programmatic requirements and guidance to implement these laws. The BlueGreen Alliance supports the consistent use of the application criteria described below to:

1. Support and create good-paying union jobs, increase union density, and support the build out of a more robust, union-represented, and diverse workforce;
2. Ensure worker rights, benefits, and health and safety on the job;
3. Support meaningful community and labor engagement, prioritize systematically marginalized communities, and address racial, environmental, and economic injustice;
4. Reduce emissions and pollution while improving environmental and public health; and
5. Reinvest in U.S. manufacturing and expand U.S. manufacturing jobs.

1. Workforce: To show a commitment to good-paying union jobs and the development of a high-road, skilled, and diverse workforce, application criteria should include:

- Proof of compliance of all construction contractors and subcontractors with the **Davis-Bacon Act and Related Acts (DBRA)**. Contractors and subcontractors must agree that all employees shall be paid the local prevailing wages and receive accompanying benefits as identified under DBRA. Compliance with Davis-Bacon should be considered a floor—contractors and subcontractors should be encouraged to pay a living wage.
- The development of a **Project Labor Agreement (PLA)** to predict and control project timelines and labor costs. A PLA establishes the terms and conditions of employment for workers on specific construction projects, including wages, hours, working conditions, and dispute resolution methods. These agreements can be utilized at the state and local level to ensure high-road labor standards and timely project completion.
- A **Community Benefit Agreement (CBA)** to ensure that community interests are taken into account in large development or construction projects. By requiring or incentivizing CBAs, agencies can ensure that developers are held accountable for providing the benefits they promise, and that community groups have a say in the development process.
- Targeted Hire** benchmarks to support the hiring of workers on a project from certain communities, which may include women, people of color, veterans, the formerly incarcerated, dislocated workers, indigenous people, low wealth communities, communities heavily impacted by climate change, pollution, energy transition, or deindustrialization, and many others. These communities may be prioritized or targeted for funding opportunities through contracting requirements, hiring requirements, or the use or establishment of pre-apprenticeship programs. Ideally, these provisions establish long-lasting pipelines for members of these communities to access good jobs and careers in the clean economy.
- Local Hire** benchmarks to support the hiring of workers from within the state or local community. Without this provision, work crews from out of state can be brought in, minimizing the job creation benefits for the local community. Local hire provisions may mandate a certain percentage of local workers be used, they may offer incentives to hire local workers, or they may simply require that local employment impacts are considered alongside other benefits of projects being evaluated.
- The use of **Union-Affiliated Training, Registered Apprenticeship, and Pre-Apprenticeship Programs**, many of which offer wrap-around services to support trainees through the programs and help ensure that workers have a clear path towards skills advancement and career development. Federal agencies should encourage or—where statutory authority permits—require the use of these programs to promote workforce development and ensure that workers receive appropriate training and education. Requiring the use of these programs can also help promote equity and fairness in the workplace by providing training and career advancement to individuals from underrepresented groups.

2. Worker Rights and Protections: To ensure worker rights, benefits, and health and safety on the job, applications must include:

- ❑ Information describing how the applicant will support and protect **workers' free and fair chance to form or join unions** of their choosing and exercise their collective voice in the workplace, in both construction and ongoing operations. By supporting workers' rights to organize and bargain collectively, agencies can promote fair and safe working conditions, protect workers' interests, and foster a more inclusive and equitable society.
- ❑ **Collective Bargaining Agreements:** Applicants should demonstrate or explain whether the applicant or sub-applicants have existing collective bargaining agreements or how they will execute them.
- ❑ **Prohibition on Spending:** Agencies should prohibit award recipients or any sub-recipient from using grant funds, whether directly or indirectly, to oppose union organizing.
- ❑ **Retirement Contributions and Fringe Benefits:** High-road benefits like retirement contributions and fringe benefits can support employer recruitment efforts, motivate existing employees to increase and maintain high performance, and reduce employee burden with certain free and money-saving accommodations like transportation assistance or meal stipends. Promoting retirement contributions and fringe benefits can help to ensure that workers are able to thrive both in and outside of the workplace and can contribute to a more stable and prosperous society.
- ❑ **Title VI of the Civil Rights Act of 1964:** Agencies should require compliance with Title VI of the Civil Rights Act in order to promote equal opportunity and prevent discrimination in all federally funded programs and activities. This can help to ensure that all individuals, regardless of their race, color, or national origin, have access to the benefits of federally funded programs and are not subjected to discrimination.
- ❑ **Preventing Worker Misclassification:** Agencies should require that applicants prevent misclassification to ensure workers are guaranteed benefits and protections. Applicants should explain how projects will properly classify employees and notify all workers of their rights, including workers treated as independent contractors.
- ❑ Activities and policies that ensure **worker engagement in the design and execution of workplace safety and health programs** that include a comprehensive analysis and management plan for all risks. These plans should address how hazards will be identified and controlled; how open communication about safety and lessons learned will be encouraged; how workers will be protected from harassment and discrimination; how retention rates will be measured; and how worker and workplace concerns will be addressed.
- ❑ **Occupational Safety and Health (OSH) Act and the Contract Work Hours and Safety Standards Act (CWHSSA):** Agencies should require applicants to express commitment to the CWHSSA and OSH Act at the time of the application, and during the use of program funds. Agencies should require evidence of a workplace safety and health program that is designed and implemented with workers and their representatives and in compliance with state and federal Occupational Safety and Health Administration (OSHA) regulations to ensure safe and healthy working conditions. Compliance with OSHA regulations helps prevent workplace injuries and illnesses and promotes a culture of safety in the workplace. Requiring compliance with CWHSSA ensures that workers are not exposed to unsanitary, hazardous, or dangerous working conditions on federal and federally financed and assisted construction projects. Frequently, workers in the construction industry are subject to overtime hours and the CWHSSA offers an avenue for intervention by the workers if the contractor violates the overtime requirements.

3. Engaging and Targeting Investments to Communities and Workers: To particularly benefit hard-hit communities, uphold the Justice40 Initiative, and demonstrate engagement with, and the intent to address, the priorities of unions, frontline community groups, and Tribes, applications must include:

- ❑ A description of how the project will particularly benefit **Justice40 communities**, low-income communities, communities of color, and communities facing deindustrialization, environmental injustice, or energy transition.
- ❑ **A plan to engage** with and address the priorities of labor unions and other worker organizations, workforce development organizations, local government, emergency responders, Tribes, organizations representing residents and businesses, environmental justice communities, systematically marginalized communities, and community-based organizations that support or work with these communities.
- ❑ A written commitment to deliver **measurable community and job benefits** through milestones and the use of tools such as good neighbor agreements, local hire agreements, PLAs, CWAs, CBAs, and/or collective bargaining agreements. The agreements should identify how concerns will be mitigated, and specify the distribution of community and economic benefits, including job quality, access to jobs and business opportunities for residents, and mitigating community harms, thus reducing or eliminating these types of risks.
- ❑ The demonstration of the success of the initial set of consultations through **letters of support** from frontline community organizations, Tribes, and unions.

4. Reducing Emissions and Ensuring Environmental Justice: To protect the environment, reduce emissions and pollution, improve public health, and ensure environmental justice, applications must include:

- ❑ A description of the existing environmental burdens at the proposed project location(s) and surrounding areas using the best available tools to identify these burdens.¹
- ❑ An **analysis of the potential impacts** of the proposed project on Tribal land; frontline communities; cultural and historic resources and community institutions; animal species; land use; water and air quality; greenhouse gas emissions; transportation; and other local concerns. The analysis should also address all potential exposures to toxic and hazardous substances; increases in ambient noise, odor, heat and wastes; and other potential impacts of construction and operation to low-income and/or minority populations or otherwise systematically marginalized groups and the environment. The analysis should explicitly address the cumulative impacts to which the project contributes, including those burdens identified above.
- ❑ An **implementation strategy** with measurable steps the applicant will take to maximize benefits, including public health and environmental benefits from reduced pollution and exposure to toxics; minimize negative impacts, including natural resource depletion and ecosystem disruption; and measure, track, and report project impacts, including any community monitoring data. The implementation strategy should be developed with and subject to review by impacted communities.
- ❑ **Letters of support** from environmental justice and other community-based organizations representing frontline and systematically marginalized communities to demonstrate the applicant's commitment to realizing the implementation strategy.

5. Reinvesting in U.S. Manufacturing: To reinvest in domestic manufacturing and expand U.S. manufacturing jobs, applications must include:

- ❑ An acknowledgement that the iron, steel, manufactured goods, and construction materials used in federally-funded infrastructure activities will be produced in the United States consistent with **Build America, Buy America** (BABA) standards.
- ❑ A strategy to leverage existing U.S. manufacturing and supply chains and support the growth of these domestic capabilities, in keeping with BABA goals, even in sectors beyond infrastructure.
- ❑ The identification of any known supply chain risks and plans for timely procurement of supplies.
- ❑ A commitment that any product invented with these federal funds will be substantially manufactured in the United States.

The Inflation Reduction Act, BIL, and CHIPS and Science Act represent landmark policy victories, setting the stage for a major economic transformation that addresses climate change and improves public health, creates good, union jobs across the country, and results in a more fair and equitable economy for everyone. But the work is just beginning. Implementation of these laws is critically important to ensure the promise of these transformative pieces of legislation is realized and that benefits for workers, communities, and the environment are maximized. The magnitude of this undertaking to effectively implement these bills cannot be understated—nor the risk of failing to implement them in the right way. By working to more consistently apply criteria above across programs funded by these laws, agencies can ensure that these historic investments advance equity and rebuild the middle class.

¹ Tools include: CEQ's [CJEST](#); DOE's Energy Justice Dashboard ([beta](#)); EPA's [EJSCREEN](#) and any relevant state-level environmental justice screening tool.