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# GREEN EQUITY TOOLKIT

Standards and Strategies for Advancing Race,  
Gender and Economic Equity in the Green Economy

YVONNE YEN LIU & TERRY KELEHER

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## **Authors**

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# INTRODUCTION: THE PROMISE OF ECO-EQUITY

## THE EMERGING GREEN ECONOMY HOLDS THE POTENTIAL

to transform our entire economy and environment toward much-needed stability and sustainability. An expansive notion of green sector development recognizes that nature has no boundaries. It applies not only to what is thought of as organic but also to the built environment, including our full communities and the people living in them. The concept of green is eco- and people-friendly. It is holistic and humane. An equitable notion of green sector development and employment recognizes that ecosystems are inclusive and interconnected. It strives to evenly distribute opportunities, benefits and safeguards. If we leave any part behind, it affects the whole.

Green for All, a national organization working to build an inclusive green economy offers the definition of *green-collar jobs* as “well-paid, career track jobs that contribute directly to preserving or enhancing environmental quality. If a job improves the environment, but doesn’t provide a family-supporting wage or a career ladder to move low-income workers into higher-skilled occupations, it is not a green-collar job.”<sup>1</sup> In addition to preserving the earth, the following benefits also apply:

- Green jobs pay higher wages than the wages paid in comparable conventional *gray jobs*.
- Green jobs are harder to export.
- Green jobs are more likely to be unionized.<sup>23</sup>

In addition to protecting and improving the environment, green jobs can be a boon to economic recovery and stimulus. They provide a potential solution for millions of workers who find themselves unemployed and underemployed due to the economic downturn. The Apollo Alliance concluded that up to five million jobs could be created with a national investment in energy efficiency and renewable energy of \$500 billion over 10 years.<sup>4</sup> A report prepared for the United Nations Environment Program concluded that every \$1 billion in U.S. government spending in green initiatives would lead to approximately 30,000 job years in this country,<sup>5</sup> which is a 20 percent increase in job creation over traditional economic stimulus measures.<sup>6</sup>

The emerging green economy is characterized by environmental protection and energy efficiency, community self-reliance and well-being, and stability and sustainability. This contrasts with the traditional gray economy, which is characterized by environmental degradation, wastefulness, fossil fuel dependency, human exploitation and economic instability.

Green jobs fall into 12 occupational sectors,<sup>8</sup> including some familiar to the gray economy such as transportation and others new to the green economy such as weatherization. The sectors span the economy, from agriculture and forestry to government and regulatory (**see Appendix A**). A report by the National Center for O\*NET Development, prepared for the Department of Labor (DOL) and other workforce agencies, further categorizes these occupations based on whether they are 1) existing gray jobs with increased demand in the green economy, termed *green increased demand occupations*; 2) jobs requiring



### What is equity? What are equitable policies?

Equity is a principle that calls for fairness, inclusion and justice. It can be distinguished from the principle of diversity, which is primarily about variety. Equitable policies often require concrete actions and steps beyond simply making everyone “equal before the law,” and accordingly are designed to take appropriate account of historical and contemporary injustices and unequal outcomes.

“The green economy encompasses the economic activity related to reducing the use of fossil fuels, decreasing pollution and greenhouse gas emissions, increasing the efficiency of energy usage, recycling materials, and developing and adopting renewable sources of energy.”<sup>7</sup>

—National Center for O\*NET Development, *Greening of the World of Work*

enhanced green skills, also known as *green enhanced skills*; or 3) entirely new jobs or what O\*NET named *green new and emerging occupations*.<sup>9</sup>

Although there are dramatic differences between the gray and green economies, there are too many instances where so-called green jobs are low-wage and dead-end, where women and people of color are excluded, and where working conditions are unsafe and workers’ rights are ignored. When policymakers and green firms don’t consciously weave equity into a strategy for developing the green economy, green jobs are not guaranteed to be any more equitable or sustainable than jobs in the gray economy.

Yet, the federal and local governments that are funding green job initiatives are not building equity considerations explicitly into their planning and development process. To maximize the opportunities and benefits of the green economy, we must think of green development expansively and equitably. Otherwise, we could easily end up reconstituting the gray economy with a tint of green, instead of replacing the gray with true green.

Without equity standards, the potential green economy continues to be gray in five areas:

- **Green pathways, but not career pathways:** Much of the literature on “green-collar jobs” focuses on low-skill, entry-level work that does not require previous experience or education. Many of these jobs are accessible to men and women who have barriers to employment.<sup>10</sup> Although these jobs may function well as entry-level jobs into the green economy, continued training, education and certification must be made available to people who have employment barriers to ensure that they are able to advance within their workplace or their chosen profession.<sup>11</sup> Without explicit measures for advancement, people of color and women will likely remain at the bottom of the career ladder.
- **Green job training charade:** Historically, people of color and women have too often been trained for entry-level, low-quality jobs. Since the 1980s, much of the federal funding for workforce development has supported training over actual job creation. For example, under the Job Training Partnership Act (JTPA), training is funded but actual jobs are not. Therefore, young and adult workers graduate from training without a job awaiting them.<sup>12</sup> In addition, training programs and providers haven’t been linked to union apprenticeship programs.<sup>13</sup> As a result, graduates have been unable to secure specialized skill jobs or the pathways they provide into the middle class. Training providers for high-quality jobs must make workforce-development accessible to groups who are most structurally disadvantaged in our society.
- **Bad “green jobs”:** Green jobs suffer from the same abuses that pervade the gray economy. In some cases, so-called “green jobs” have paid even lower wages and offered fewer opportunities for collective representative than their gray counterparts. A 2009 Good Jobs First report found that

### Gray Economy

The conventional *gray economy*, often contrasted with the emerging *green economy*, is characterized by a post-Industrial Revolution model where profits are routinely permitted to be derived from the pollution of air, water and land; the exploitation and under-compensation of workers; the creation of environmental-related illnesses; the disproportionate dumping of toxins in low-income communities of color; and the creation of wealth stratification and deep poverty.

existing green jobs are not more likely to be represented by a labor union or provide safe and healthy working conditions for their employees. Although green wages can be higher than those paid for comparable gray jobs,<sup>14</sup> an hourly wage for a “green job” can be as low as \$8.25, which is what one Los Angeles recycling center, Community Recycling and Resource Recovery (CRRR), paid its mostly undocumented immigrant workforce.<sup>15</sup> A family comprised of an adult and one child would need to make more than double that per hour (\$19.60) in order to sustain itself in that region.

- **Exclusionary employment:** A look at the existing race and gender demographics comprising the green economy reveals vast race and gender disparities. White men dominate green occupations across all sectors, according to 2008 Census data.<sup>16</sup> Analysis by the Women of Color Policy Network showed that Black and Latinos comprise less than 30 percent of those employed in green industries and occupations.<sup>17</sup> Gender disparities are even starker. Black women are employed in only 1.5 percent of jobs in the energy sector, and it’s even worse for Latino and Asian women, who are employed at 1.0 percent and 0.7 percent, respectively.<sup>18</sup>
- **White executives in green firms:** Applied Research Center (ARC) analyzed racial demographics of employees in executive and management positions in green sectors.<sup>19</sup> Two sectors that expect huge growth in the green economy, construction and energy, exhibit vast racial disparities. Construction is dominated by white executives, with 90.5 percent of construction companies led by whites, but only 7.1 percent led by Latinos, 0.9 percent by Asians and 0.8 percent by Blacks. In the energy sector, 90.9 percent of energy companies are led by whites, 3.8 percent by Latinos, 3.1 percent by Blacks and 1.8 percent by Asians.

When creating green jobs, our eyes must be on quality and equity. We must consciously strive, and concretely plan, to achieve racial, gender and economic equity. The communities most traditionally marginalized by our society, and those most adversely affected by the recession—people of color, women, and low- and moderate- income families—deserve priority attention when creating new opportunities.

This toolkit provides a guide for incorporating racial, gender and economic equity into the design, implementation and evaluation of initiatives involving green jobs. If equity factors prominently into the equation, an expanded green economy has tremendous potential to positively transform all our communities, sustain our whole environment and lift the quality of all our lives. But this won’t happen by chance. We must organize to ensure that equity—gender, racial and economic equity—is central to green principles and practice.

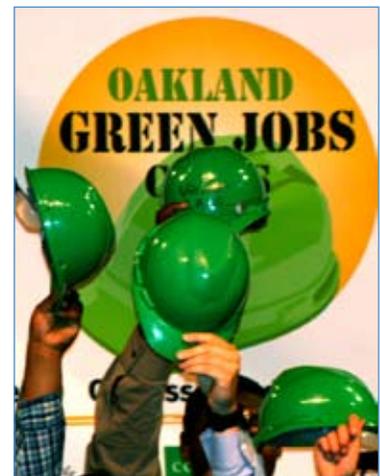


PHOTO: JACOB RUFF

**“The world we dream of has more than just a stable, healthy climate. We dream of a society that also takes care of its people, where no one is left behind and everyone has a chance to succeed. That society upholds three basic principles: equal protection for all, equal opportunity for all, and reverence for all creation.”<sup>20</sup>**

**—Van Jones, The Green Collar Economy**

# ABOUT THIS GREEN EQUITY TOOLKIT

**THIS TOOLKIT PROVIDES A FRAMEWORK** for explicitly addressing race, gender and economic equity in initiatives involving green-collar jobs. Because institutions at all levels routinely (albeit often unintentionally) replicate such inequities, advancing equity requires commitment, conscious attention and concrete steps.

This toolkit provides guidance for designing, implementing, monitoring and evaluating initiatives that establish green-collar jobs. It can be applied to the public and/or private sector, in both for-profit and non-profit organizations. Each job's program is unique, with its own funding stream, development and implementation entities, and applicable state and federal laws. Accordingly, the following suggested practices will need to be adapted to fit each specific initiative.

This toolkit focuses on green jobs initiated in the public arena; that is, jobs created by cities or counties or those funded by federal or state monies won by green contractors. The reason for this focus is two-fold. First, the American Recovery and Reinvestment Act (ARRA), enacted in February 2009, will disburse \$787 billion in stimulus funds over the next 10 years, with most of the money allocated in 2009–2010. More than \$200 billion was earmarked for programs that would directly or indirectly generate green jobs,<sup>21</sup> including almost \$100 billion reserved for transportation and infrastructure, \$48 billion for workforce development and education, \$41 billion for programs relating to energy, and \$20 billion towards tax incentives for solar, wind and other forms of green energy.<sup>22</sup> Stimulus funds recipients must comply with all anti-discrimination statutes, regulations and executive orders.<sup>23</sup>

The second reason for the toolkit's focus on government-funded green jobs is that their public nature provides avenues to demand accountability, transparency and equity in spending. Using various public accountability provisions, equity advocates can exert pressure on elected officials and administrators to ensure that green projects are created, funded, administered, regulated and monitored in ways that produce equitable outcomes.

Advocates can also ask private-sector businesses or organizations to voluntarily comply with suggested equity principles, practices and desired outcomes. Public entities can also be asked to require compliance from private entities that are being publicly funded or regulated.



# HOW TO USE THIS TOOLKIT

## Build Community Support for Equity

1. Develop a broad base of community residents and advocates who are willing to advocate for race, gender and economic equity in local green-jobs initiatives. Ask allies to adopt the Equity Principles. Develop a coalition to work on behalf of green equity.
2. Develop publicity and public support for gender, race and economic equity in green-jobs initiatives. Highlight existing inequities to demonstrate the need for new approaches.
3. Support the development and promotion of equitable funding proposals. Publicly critique proposals that ignore or fall short on equity considerations.
4. Actively monitor program implementation to ensure that equity plans are being carried out effectively. Ask for full reporting on progress and results.
5. Participate in developing and evaluating program performance and advocate for needed changes.



PHOTO: JACOB RUFF

## Engage Public Officials in Equity

6. Ask public officials and entities responsible for green-jobs decisions to commit to using the Success Indicators.
7. Ask public officials and involved entities to adopt your proposed practices, desired outcomes and success indicators. Be sure all plans have concrete goals, milestones and timetables for achieving equity, with ample funding, enforcement and support.
8. Ask public officials and involved entities to adopt a participatory process for making decisions about green-jobs proposals, with ample opportunities for public input and review, especially from key stakeholders such as marginalized communities.
9. Ask public officials and involved entities to commit to comprehensive data collection—disaggregated by gender, race and socioeconomic status—so that programs can be effectively monitored and evaluated. See **Appendix C** for guidelines on what data collection to demand from the government entity.



PHOTO COURTESY OF GREEN FOR ALL.

## Stay Informed

10. Continue to connect with equity advocates in different communities to stay abreast of innovative and best practices. In the future, ARC and its allies will be creating additional resources to supplement this toolkit. Periodically check the ARC website ([www.arc.org/greenjobs](http://www.arc.org/greenjobs)) for future content such as case studies, model policies, research reports and additional advocacy tools.

# EQUITY PRINCIPLES

**THE FOLLOWING PRINCIPLES** can guide all aspects of decision-making to help ensure equitable results:

- **Equal Opportunity and Fair Treatment**  
All people are afforded full and fair access to all opportunities and benefits, free of bias and barriers, with all programs designed to be inclusive and representative of the demographics of the communities in which they are based.
- **Excellence and Efficacy**  
Jobs are high-quality, and job programs are highly effective and specifically tailored to building strong skills and career paths for marginalized communities, so as to maximize the shared benefits and transformative potential of the green economy.
- **Health and Wellness**  
The health, safety and well-being of all individuals and communities are maximized, with active attention to eliminating existing disparities.
- **Human Rights and Workers' Rights**  
All employees and community residents are guaranteed basic rights and respect, including the right to organize and engage in collective advocacy.
- **Sustainability and Security**  
Households and communities are provided the support and protections needed for long-term economic security and environmental sustenance. This includes affordable housing, access to public transportation and proximity to a high-quality education for children.
- **Transparency and Accountability**  
Openness and fairness are maintained in all phases of planning, decision-making, program development, implementation, documentation and evaluation, with public participation of community stakeholders, particularly those most disadvantaged.



PHOTO COURTESY OF GREEN FOR ALL.

## EQUITY GOALS

Green jobs should be good jobs that not only improve the environmental health of our communities and nation, but also pay sustainable wages and benefits to the worker, provide a safe and healthy work environment, and enable the employee to advocate for his or her interests collectively through participation in a union. Green jobs are also pathways into stable careers, where employees can start at an entry-level job and work their way up with more experience and skills.

- **Economic Equity**  
Increase economic stability and reduce poverty by ensuring that economically disadvantaged people and communities have full and fair access to high-quality jobs, improved community services and environment, access to affordable housing and public transportation, and expanded opportunities.

- **Gender Equity**

Create opportunities and outcomes that ensure that women have full and fair access to all jobs and contracts, and that all benefits and burdens are shared and bias-free.

- **Racial Equity**

Create opportunities and outcomes that ensure that people of color have full and fair access to all jobs and contracts, and that all benefits and burdens are shared and bias-free.

## EQUITY OUTCOMES

- **Transparent and participatory planning and evaluation process**

The implementation of a fully transparent and participatory process for equitable green job creation should be seen as an outcome itself. Without explicit attention to race and gender equity, and ample participation in planning by people of color and women, we can predict from past experience that the jobs created will not be inclusive and equitable. Transparency includes comprehensive Equity Data Collection (**see Appendix C**) that includes data disaggregated by race, gender and socioeconomic status. This data should be fully accessible, searchable and mappable. A participatory planning process includes the development of ample opportunities for input and review during program development and evaluation, especially by disadvantaged community stakeholders.

- **Maximization and equitable distribution of high-quality jobs**

The number of high-quality jobs that are created and filled should be maximized and incentivized, with an aim to distribute them proportionally by race, gender and income level. High-quality jobs are those that meet or exceed prevailing wage standards, include full and sustainable benefits such as health insurance and retirement funding, involve safe working conditions, are generally full-time, have clear career tracks and may be represented by a union. Low-quality jobs, which should be minimized, are those that pay minimal state or federal wages with few or no benefits, may be temporary or part-time and are generally non-union. Parity goals should be based on the race, gender and income-level composition of green job holders, relative to the demographics of the local community site. For example, striving for racial parity in hiring in a local community with a racial composition of 60 percent people of color would call for significant progress in reaching that 60 percent goal for new-hires and contracts provided to people of color, especially signatories of a master agreement.

- **Expansion of employer-sponsored benefits**

The quantity and quality of employer-sponsored benefits, as well as the number of disadvantaged people with access to these benefits, should be expanded. Employer-sponsored benefits include such things as health and disability insurance, retirement funding, vacation and holidays, childcare and transportation supports.

- **Elimination of employment barriers and bias faced by disadvantaged communities**

Programs will take concrete and successful actions to eliminate barriers and to provide full access to disadvantaged communities. To do so, it is essential to adequately fund and offer high-quality training programs, job-placement programs and other needed supports to targeted populations.

### Disadvantaged Communities with Barriers to Employment

Disadvantaged communities include people with low incomes, women, people of color, at-risk youth, people who lack a high school degree or GED, people with prior convictions, immigrants and refugees of varying status, youth of color, public-assistance recipients, people who have been chronically unemployed or underemployed, parents with childcare needs, under-skilled job-seekers, people with disabilities and other vulnerable communities.

- **Expansion and fulfillment of race and gender parity goals in contracting**

Equitable green job initiatives can aspire to the proportional awarding and distribution of all contracts relative to the racial, gender and income-level composition of the communities they serve. Although strict racial quotas in public contracting and hiring are prohibited by U.S. Supreme Court case law, making significant progress toward, and ultimately reaching, racial and gender parity goals is an essential outcome for an equitable green-jobs initiative.

- **Significant expansion of green entrepreneurship in target populations**

Disadvantaged communities need to be seeded with meaningful opportunities to start their own green social enterprises that advance eco-equity. Social entrepreneurship should operate with an equity screen and be supported with startup capital by banks and the government only if they provide needed goods and/or services to their community.<sup>25</sup> This helps to restore the wealth that many communities have lost since the Great Recession or never gained because of the lack of opportunity in our built environment.<sup>26</sup> A May 2009 report by ARC showed that the subprime crisis and ensuing foreclosure debacle has robbed millions of families of color of their homes, and home-ownership was the primary form of security and wealth-building in many communities.<sup>27</sup>

- **Creation of healthy and safe workplaces and surrounding environment**

Measurable improvements in health, safety and environment must be made that maximize shared well-being through protection and prevention, while minimizing injuries, risks and disparities. Green job initiatives should be consciously designed to eliminate and prevent any adverse or inequitable health and safety impacts.

- **Maximization and equitable distribution of local hiring, contracting and high-level career jobs**

The number of local residents and contractors should be maximized. (Local hires and contracts are those that are provided to people in the local community.) The number of career jobs that are created and filled should be maximized, incentivized and proportionally distributed by race, gender and income level, while the number of low-quality and temporary jobs should be minimized. (A career job is a full-time, high-quality job that includes advancement, increasing compensation, permanence and pathways to greater opportunities. It provides long-term economic security to households and communities.)

- **Expanded educational opportunities and workforce development for disadvantaged communities**

High-quality educational opportunities, training programs, and professional- and workforce-development services should be created that are affordable and accessible to disadvantaged communities. These programs must emphasize job-readiness skills that connect people to actual available high quality jobs. Green-jobs initiatives should also contribute positively to local community development by, for example, expanding affordable housing in healthy environments where families and children can thrive. Residential weatherization and green buildings must be made accessible to working families of color and households headed by single women. Housing and public transportation options should be well-planned to minimize costs and commute time, so that the combined shelter and transit costs don't exceed 40 percent of a family's take-home pay.

### **Invisible Capital: A Barrier for Businesses Owned by People of Color and Women**

The next generation of social enterprises must be designed to benefit all people and the full communities they serve, including those most disadvantaged. Shared prosperity and communal wealth-building are the foundations of green enterprises that embrace eco-equity. Outdated or ineffective programs that target disadvantaged communities but don't address the entrepreneurial and socio-political barriers built up by enduring structural inequality must be replaced with programs that include entrepreneurial literacy, meaningful institutional collaboration, strong curricula and sufficient funding. Chris Rabb, Visiting Researcher at the Woodrow Wilson School of Public and International Affairs at Princeton University and Demos Fellow, writes in his forthcoming book *Invisible Capital* about how the exalted status of entrepreneurs and small businesses is part and parcel of the myth of meritocracy and the American Dream. For businesses started by disadvantaged people, initiatives must address the sizeable gaps in social, human and cultural capital.

## EQUITY SUCCESS INDICATORS

Data related to the following outcomes and indicators must be reported, collected, compiled and publicly released annually so that program progress and success can be fully assessed each year and across years.

OBJECTIVE/ DESIRED OUTCOME	SUCCESS INDICATORS	DATA SOURCES
Transparent and participatory planning and evaluation process	<ul style="list-style-type: none"> <li>• Comprehensive Equity Data Collection and Reporting</li> <li>• Inclusive process for planning and input, with ample representation of disadvantaged communities</li> <li>• Inclusive process for public monitoring, reporting and evaluation</li> </ul>	Public records and reports from agencies involved
Maximization and equitable distribution of high-quality green jobs	<ul style="list-style-type: none"> <li>• Number of new high-quality green jobs created</li> <li>• The average hourly and weekly wage earned by people of color and by women in green jobs</li> <li>• Compliance rate of green employers paying prevailing wages for construction jobs</li> <li>• Compliance rate of green employers with minimum or living wage ordinances</li> <li>• Compliance rate of green employers paying for overtime hours</li> <li>• Training provided to people of color and women employed in green jobs on how to report wage and hour violations</li> <li>• Number of people of color and women employed in green jobs in unions</li> <li>• Usage of project labor agreements for public contracts in green sectors</li> </ul>	<ul style="list-style-type: none"> <li>• Bureau of Labor Statistics, Department of Labor (DOL)</li> <li>• DOL Wage and Hour Division</li> <li>• DOL Wage Determinations</li> <li>• Mayor’s office and city council</li> <li>• City development agency</li> </ul>
Expansion of employer-sponsored benefits	<ul style="list-style-type: none"> <li>• Number of people of color and women who receive retirement or pension benefits from green employers</li> <li>• Number of people of color and women and their dependents who receive employer-sponsored health insurance</li> <li>• Training provided to people of color and women employed in green jobs on how to report violations of leave benefits protected under the Fair Labor Standards Act</li> <li>• Reduction of monthly housing and transportation costs to below 40 percent of take-home pay</li> </ul>	<ul style="list-style-type: none"> <li>• Bureau of Labor Statistics</li> <li>• Survey of Consumer Finances</li> <li>• Federal Reserve</li> <li>• DOL Wage and Hour Division</li> <li>• Annual housing wage for geographic region, by the National Low Income Housing Coalition (NLIHC)<sup>28</sup></li> <li>• Housing and Transportation Affordability Index by the Center for Neighborhood Technology<sup>29</sup></li> </ul>
Elimination of employment barriers and bias faced by disadvantaged communities	<ul style="list-style-type: none"> <li>• Type and number of barriers to employment removed for people of color and women</li> <li>• Elimination of criminal background checks before and after hiring</li> <li>• Compliance with affirmative action requirements</li> <li>• Training provided to people of color and women employed in green jobs on how to report equal opportunity or affirmative action violations</li> <li>• Partnerships between green job training programs and green employers</li> </ul>	<ul style="list-style-type: none"> <li>• DOL Wage and Hour Division</li> <li>• Equal Employment Opportunity Commission (EEOC)</li> <li>• DOL Office of Federal Contract Compliance</li> <li>• Mayor’s office and city council</li> <li>• State department of labor</li> <li>• Recovery.gov website</li> </ul>

OBJECTIVE/ DESIRED OUTCOME	SUCCESS INDICATORS	DATA SOURCES
<p>Expanded educational opportunities and workforce development for disadvantaged communities.</p>	<ul style="list-style-type: none"> <li>• Expanded educational opportunities or workforce development programs for green jobs</li> <li>• Number and percentage of women, people of color, and low-income people participating in educational and training programs for green jobs</li> <li>• Number and percentage of women, people of color, and low-income people who have graduated from educational and training programs for green jobs</li> <li>• Number of people of color and women training for green jobs</li> <li>• Number of green-job training locations in zip codes with a high density of people of color and households headed by single women</li> <li>• Support systems to make educational and training programs for green jobs more accessible to people of color, women and low-income people</li> <li>• Continuing education options for people of color and women, including employer-sponsored training and/or tuition payments</li> <li>• New partnerships between green employers and industry experts to create professional development opportunities for people of color and women</li> <li>• Industry-recognized certifications for green jobs held by people of color and women</li> <li>• Industry-recognized credentials for trainers of green jobs programs with high enrollment by people of color and women</li> <li>• Quality and relevancy of green training curriculum for people of color and women</li> <li>• Amount and type of funding for teaching people of color and women through green curricula</li> </ul>	<ul style="list-style-type: none"> <li>• Mayor’s office and city council</li> <li>• Chancellor of community college</li> <li>• State labor council</li> <li>• Green businesses council</li> <li>• Chambers of commerce</li> <li>• Vocational-technical schools</li> <li>• North American Board of Certified Energy Practitioners</li> <li>• Solar Energy Industries Association</li> <li>• Various professional associations that provide certifications</li> </ul>
<p>Race and gender parity in hiring for high-quality green jobs</p>	<ul style="list-style-type: none"> <li>• Number and percentage of women employed in high-quality, career-track new green jobs; and percentage of women employed compared to percentage of women in the local community</li> <li>• Number and percentage of people of color employed in new high-quality, career-track green jobs, and percentage of people of color employed compared to percentage of people of color in the local community</li> <li>• Number and percentage of low-income people employed in new high-quality, career-track green jobs, and percentage of people of color employed compared to percentage of low-income people in the local community</li> <li>• Number of young women and young people of color employed in high-quality green jobs</li> <li>• Number of female dislocated workers and dislocated workers of color employed in high-quality green jobs</li> <li>• Percentage of overall high-quality, career-track green jobs held by women; people of color and low-income people</li> <li>• Percentage of overall senior-level or management positions held by women; people of color and low-income people</li> </ul>	<ul style="list-style-type: none"> <li>• Bureau of Labor Statistics</li> <li>• Mayor’s office and city council</li> <li>• State department of labor</li> <li>• Recovery.gov website</li> <li>• DOL Office of Federal Contract Compliance Programs</li> <li>• Office of Management and Budget (OMB)</li> <li>• EEOC</li> </ul>

OBJECTIVE/ DESIRED OUTCOME	SUCCESS INDICATORS	DATA SOURCES
Race and gender parity in contracting and green entrepreneurship	<ul style="list-style-type: none"> <li>• Number and percentage of women hired for high-quality green jobs</li> <li>• Number and percentage of people of color hired for high-quality green jobs</li> <li>• Number and percentage of low-income people hired for high-quality green jobs</li> </ul>	<ul style="list-style-type: none"> <li>• Federal procurement data system</li> <li>• State procurement data system</li> <li>• EEOC</li> <li>• Recovery.gov website</li> <li>• USAspending.gov website</li> <li>• State Employment Development Department</li> </ul>
Creation of healthy and safe workplaces and surrounding environment	<ul style="list-style-type: none"> <li>• Number of workplace injuries</li> <li>• Types of community and environmental improvements made</li> <li>• Types of improvements made in workplace health, safety and environment</li> <li>• Compliance of green employers with occupational safety and health standards</li> <li>• Training provided to people of color and women employed in green jobs on how to report violations of occupational safety and health standards</li> </ul>	<ul style="list-style-type: none"> <li>• Occupational Safety and Health Administration (OSHA)</li> <li>• Department of Health and Human Services (HHS)</li> <li>• State department of labor</li> <li>• State health inspectors</li> </ul>
Maximization and equitable distribution of local hiring, contracting and high-quality, career-track green jobs	<ul style="list-style-type: none"> <li>• Number of local green businesses owned by people of color and women engaged in green-jobs initiative</li> <li>• Funding opportunities, capital and technical assistance provided to local people of color and women to start up a green business</li> <li>• Number of local people hired and percentage of green jobs filled by local hire</li> <li>• Number of new high-quality, career-track green job positions filled by local people</li> <li>• Number of local contracts for green jobs awarded to people of color and women</li> </ul>	<ul style="list-style-type: none"> <li>• Recovery.gov website</li> <li>• DOL</li> <li>• Department of Energy</li> <li>• Government Accountability Office (GAO) reports</li> <li>• State stimulus websites</li> <li>• EEOC</li> <li>• Employer taxpayer records</li> <li>• Clean Energy Finance Authority</li> <li>• Small Business Administration</li> <li>• Recovery.gov website</li> <li>• Community Development Corporations</li> <li>• Financial institutions</li> </ul>

# EQUITY STRATEGIES

## EQUITY HANDLES

A *handle* is an angle or justification for supporting something, such as a legal basis, a moral imperative, a federal mandate, an established precedent, a compelling need or an ideal opportunity. Existing federal and local policies and project-based practices provide handles that community and labor advocates can use to ensure that equity is explicitly pursued in green job creation and funding (**see Appendix B for a detailed description of each equity handle**).

The handles are arranged in seven broad categories, each with a different scope of jurisdiction. Some handles were enacted at the federal level and signed into law. Others are ordinances passed in a particular city or county; therefore, they only apply to a particular local jurisdiction. Last are project-based handles that are negotiated for a specific site or contract and apply for an agreed-upon time period. Cities and counties can enact policies to make certain features of project-based handles permanent, so they apply to all endeavors in that particular area. Handles that are federal in scope set the tone for local state, county and city laws and regulations. This is true for many of the equal opportunity and affirmative action laws that trump any local statutes. The federal government often uses its budget to enforce standards; for example, many of the country's civil rights obligations are tied to federal funding.

### Equal Opportunity

These federal laws, won by the civil rights movement, were designed to ensure equal access to federally funded programs, employment and an education, regardless of race, ethnicity or gender. Discrimination is defined in two ways: (1) as individual or programmatic acts that intentionally exclude certain groups; or (2) acts or practices that have a disparate impact on a group.<sup>30</sup> These laws, in theory, are very powerful, but in practice, are still imperfect and leave many groups unprotected. They are also insufficiently enforced, and the burden of evidence is great. Nevertheless, they provide an opportunity to achieve demands for equity already guaranteed in our laws.

Those that ignore federal requirements risk losing their funding, a tactic also known as the *clawback*. Therefore, much of the first equity goal for racial and gender parity in the green economy is a federally protected and mandated right accorded to all in this country, explicitly based on race, ethnicity and gender.

### Affirmative Action

President Obama signed Executive Order 11246 which requires the use of affirmative action in hiring contractors who receive a certain amount of federal funds. This handle, federal in scope, applies only to the construction sector. The Office of Federal Contract Compliance Programs maintains meticulous participation goals for racial groups and women, and carefully distinguishes the goals from racial or gender quotas. As with anti-discrimination laws, this is difficult to enforce because contractors are expected to comply in "good faith."<sup>32</sup> Because enforcement mechanisms are weak, community-based documentation, organizing and advocacy for

### The Clawback

The *clawback* is a strategy defined by Good Jobs First when a government takes steps to recoup subsidies paid to a company that does not fulfill its job creation or other promises.<sup>31</sup> Community and labor organizers have successfully used this tactic in stopping federally funded corporate initiatives that adversely affect community residents or workers.

government accountability is important for generating public scrutiny of both government and corporate actions.

### **Local Hiring and Training**

A variety of project-based handles have been used to overcome barriers to green employment for people of color, women, ex-prisoners and public assistance recipients. These handles can be used alone or in combination with other local or federal handles. For example, Best Value Contracting (BVC) is a method used by local governments to stipulate requirements for winning contract bids, beyond just low cost. BVCs can be used to create equity in green contracts and rewards high-quality standards. The Apollo Alliance listed the following examples in their 2008 memo:

- Pennsylvania’s public works projects use BVC in their requests for proposals (RFPs), awarding points to those they refer to as “disadvantaged businesses.” This qualification is granted to businesses that are certified as small business enterprises owned by persons of color or women; and to businesses that “have suffered chronic and substantial racial or ethnic prejudice or cultural bias in the U.S. due to the business person’s color, ethnic origin, or gender,” which “must have negatively impacted the business’ establishment or growth.”<sup>33</sup>
- Washington’s regional transit development includes a requirement that contractors use Project Labor Agreements (PLAs) in their RFPs.<sup>34</sup>
- Madison, Wisconsin, enacted a BVC ordinance in 2006, which allowed the city to require contractors to prequalify themselves by presenting the city with an affirmative action plan.<sup>35</sup>



PHOTO: JACOB RUFF

### **Wage and Hour Standards**

There is a variety of both federal and local handles in this category. The preeminent regulation on the books is the Fair Labor Standards Act of 1938, which prescribes that workers must receive at least the federal prevailing minimum wage per hour and overtime of one-and-a-half times the rate of the regular rate. Unfortunately, this area suffers from weak enforcement: the General Accountability Office (GAO) and a report by Los Angeles labor educators recently exposed pervasive wage theft and an ineffective response system by the Department of Labor’s Wage and Hour Division.<sup>36</sup> Other handles in this category include the Davis-Bacon Act, which requires payment of prevailing wages—this legislation is federal in scope but applies only to construction sectors.<sup>37</sup> Living wage ordinances are local in scope, applying to employers who receive local government funding. They are being enacted through organizing campaigns in over 120 cities.<sup>38</sup>

### **Safety and Health Standards**

This federal handle was enacted by the Occupational Safety and Health Act in 1970 and enforced by OSHA under the DOL. As the name suggests, the Act establishes enforceable health and safety standards for various occupations. Employers who do not meet these standards can be subject to sanctions. However, for this law to be effective, inspection and enforcement are key, both of which are often lacking unless communities engage in effective organizing and advocacy to ensure compliance.

### **Labor Peace Agreements**

The National Labor Relations Act (NLRA) of 1935 protects the rights of workers to organize in order to bargain collectively for pay and working

conditions. Employer infractions of NLRA are now considered part of the cost of doing business, and workers are finding it harder than ever to unionize their workplaces. However, local labor peace agreements have been brokered that protect the fundamental right of a worker to self-organize. Oregon enacted the Worker Freedom Act, which made it illegal for bosses to punish employees who refuse to attend captive audience meetings, where the employers proselytize against labor unions to their workers before a union election.<sup>39</sup> Similar bills have been pushed through state chambers in New Hampshire, Michigan, Vermont, Colorado and West Virginia by labor and community organizers.

### **Green Startups**

Various programs and tax incentives exist to incubate and encourage green entrepreneurial initiatives. Most are federal in scope; some are state-specific. Some focus on encouraging people of color and women to start their own green business.

## **EQUITY SCENARIOS**

The following three scenarios depict different hypothetical, yet realistic, starting points for developing and implementing equitable green-jobs programs. These scenarios can be viewed as composite models of exemplary practices. They are not meant to be exhaustive—many other creative and innovative practices to address the unique needs and conditions of a local community are possible.

These scenarios take place in the fictional Middletown, USA—a hypothetical region comprised of a city and its surrounding unincorporated areas— and describe the steps that a hypothetical community alliance, Middletown Justice, can take to advocate for regional equity while reducing carbon impact on the earth and sustaining their residents with good jobs, affordable housing and access to public transportation. The assumptions are that the organizers of Middletown Justice followed some of the suggestions in this Green Equity Toolkit by developing a broad base of community residents and advocates to press for race, gender and economic equity in green jobs. They built a coalition with allies in City Hall, the County Supervisory Board, regional authorities, local labor unions and green contractors.

### **Scenario 1: Green Retrofit of City Buildings**

With the influx of stimulus monies and expected streams of revenue from future federal legislation,<sup>40</sup> counties and local municipalities are scrambling to obtain funding to retrofit public buildings that would serve two purposes:

- Save costs in weatherizing buildings by bringing them up to U.S. Leadership in Energy and Environmental Design (LEED) standards, and
- Employ disadvantaged workers with barriers to employment in the green jobs

The City of Middletown wants to take advantage of federal stimulus funding to retrofit buildings and create equitable green jobs with input and participation of various stakeholders, including community members, organized labor, businesses and elected officials.

The proposal crafted to retrofit green buildings combines equity handles to ensure that all residents, particularly those hardest hit by the economic downturn, benefit from green jobs. First, at the project level, **community workforce agreements** can apply to all construction sites. The community workforce agreement can stipulate other project-based handles such as **first**

**source hiring** and **living wages**.<sup>41</sup> Also, a **project labor agreement** can be used to cover all existing and future employees who work at a construction site, under a collective bargaining agreement.

Last, the city enacts **best value contracting** requirements for all city-sponsored retrofit projects. In the BVC, the following qualities boost a firm's chances of being hired as a contractor: that it is **a business owned by a person of color or woman**, has an **affirmative action plan**, and has a history of meeting **participation goals**.

All contractors receiving public monies for city retrofits must observe federal and state laws that regulate **anti-discrimination** in hiring, payment of **prevailing federal or state wages**, preservation of **occupational health and safety**, and provisions for **personal or family leave**.

This hypothetical Middletown Retrofit Initiative can rely on some actual efforts for developing their programs. A number of good examples exist of cities that have implemented one or more equity handles to create green retrofit programs. One is Los Angeles, where the city council enacted a green retrofit ordinance overseen by community input in April 2009 (described in more detail in a case study available at [www.arc.org/greenjobs](http://www.arc.org/greenjobs)).



Figure 1: Oregon Tradeswomen was a partner in the Clean Energy Works initiative in Portland, Oregon.

Photo courtesy of Green For All.

A more recent success story is in Portland, Oregon, where the city council endorsed a **community workforce agreement** for residential retrofit projects, called Clean Energy Works Portland.<sup>42</sup> First, 500 homes will receive energy audits and be retrofitted in the pilot program. The program authors, Green for All and the City of Portland, anticipate that up to 100,000 homes stand to benefit from the program, creating as many as 10,000 local jobs over the next 10 years. The community workforce agreement includes the following project-level equity handles:

- **Local hire agreements**—At least 80 percent of employees will be hired locally.
- **Family-supporting wages**—Workers will earn no less than 180 percent of state minimum wage.

- **Participation goals**—Thirty percent of total trades and technical project hours will be performed by “historically disadvantaged or underrepresented people, including people of color, women, and low-income residents of the city.”
- **Green entrepreneurship by people of color and women**—No less than 20 percent of all dollars in the project will be earned by people of color- and women-owned businesses.
- **Professional development**—Continuing education and certification will be made available for those entering the industry and those with middle-level skills.<sup>43</sup>

More information about the program can be found on the Clean Energy Works Portland website: <http://www.cleanenergyworksportland.org/>.

## Scenario 2: Green Pathways Out of Poverty Training by Nonprofits

Middletown Justice has a racial and economic justice campaign where they work with youth and adults with barriers to employment, helping them not only to gain a foothold in the green economy, but to succeed and thrive. Their community is devastated by the current recession and has never really enjoyed economic stability or prosperity. Their youth are unemployed and their adults are similarly out of work, underemployed or working in conditions that violate fair labor practices. A large portion of their constituents are the formerly incarcerated, whose backgrounds are a liability in getting and keeping a job. Many are also undocumented immigrants, working in low-wage and precarious service occupations. Most are not paid for the full number of hours that they work, nor are they paid for overtime.

Middletown Justice collaborates with the City of Middletown, key labor unions and green employers to craft a Middletown Green Corps training program that develops the skills of young and adult workers who have barriers to employment, striving to prepare them for good, family-supporting jobs that are stepping stones to a middle class life. The Middletown Green Corps program is built on the **Pinderhughes model**, which specifically recruits among the local community for prospective students, offering the following **wraparound services** to those who enroll:<sup>44</sup>

- **Case management and follow up**—Each student is managed by a mentor, who personally tracks the student’s progress through the program and follows up with the alumni for up to 12 months after graduation and placement into the first green job.
- **Applied basic skills**—Reading and math classes accompany specific technical training that is constructive and relevant to their chosen career path.
- **Job readiness, life skills and financial literacy skills**—Training in a variety of professional and personal skills is provided, helping students overcome institutional and internalized barriers associated with race and gender inequities.
- **Critical thinking and curriculum in environmental and social justice**—Students learn to develop their skills to find 21<sup>st</sup> century employment and understand their role in the large movement to sustain the planet and its peoples—an awareness that contributes to satisfaction with one’s profession.
- **Stipends, housing vouchers, paid internships, childcare, training centers accessible by public transportation**— A variety of supports are provided to help to retain and graduate students and enable those students to thrive instead of fail.

Partnerships are brokered between Middletown Justice and regional green employers so that paid internships and entry-level positions are guaranteed for alumni of the Green Corps upon graduation. Union apprenticeship programs are portals for good jobs; however, most require proof of citizenship or legal residency. Local 100 of the building trades union is suffering from declining membership, as its existing rank and file are retiring or dying off. The union partners with Middletown Green Corps to establish a new local, with its own hiring hall and an apprenticeship program with no documentation prerequisites.

Middletown Justice reaches out to the following federal agencies to schedule local trainings for green employers and prospective employees:

- **Department of Housing and Urban Development**—Holds **work opportunity tax credit** seminars to inform employers of tax benefits available to them when they hire workers with barriers to employment.
- **Department of Labor**—Develops **federal bonding program** workshops to guarantee the hiring of job seekers who have been incarcerated.
- **Department of Justice**—Trains green employees and job seekers on how to report violations of **Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972** and **Executive Order 11246**.
- **Equal Employment Opportunity Commission**—Trains green employees on what actions to take when employers violate **Title VII of the Civil Rights Act of 1964** and intentionally discriminate or act in ways that have disparate impact against certain racialized or gendered groups.
- **Department of Labor’s Wage and Hour Division**—Provides training on how to file complaints of **wage and hour violations**.
- **OSHA**—Provides training on how to report infractions of **occupational safety and health**.
- **National Labor Relations Board**—Provides training on how to report **unfair labor practices (ULP)**.



Figure 2: Oakland Green Corps inaugural class, graduation date.

Photo by Christina Chen

Middletown Justice could incorporate many of these equity handles in their training program by following the actual examples of programs in Oakland, California, or Newark, New Jersey. The Oakland Green Corps was created through a collaboration between the Ella Baker Center for Human Rights, the City of Oakland and non-profit training providers. The program, based on the **Pinderhughes model**, aims to provide green pathways out of poverty for youth who face barriers to employment. Students are provided with job training and ongoing support services, as well as on-the-job training. The three-month program includes the following:<sup>45</sup>

- Basic literacy in math and English
- Life skills and job readiness training
- Environmental sustainability and environmental justice
- Financial management
- OSHA safety training certification
- Labor unions 101 and how to get into apprenticeship programs
- Other support services, such as childcare and transportation stipends
- Paid on-the-job training for three four-week rotations, where students earn \$9 per hour

More information on the Oakland Green Jobs Corps can be found at <http://www.ellabakercenter.org>.



Figure 3: Perette Hopkins, a GANE member and Local 55 trainee, who was one of 25 students in the inaugural green construction training.

Photo courtesy of Green For All.

Another good example of a successful job training program that forged agreements with labor and employers to guarantee jobs for graduates is the Weatherization and Energy Efficiency Program in Newark, New Jersey. The Garden State Alliance for a New Economy (GANE), a labor-community coalition, partnered with Laborers Local 55 to create a green-jobs training program to prepare urban residents of Newark who typically face barriers to

employment.<sup>46</sup> Community and clergy leaders helped recruit students for the training, which opened its doors to the inaugural class of 22–25 students in June 2009.

The six-week training shares similarities with the Oakland Green Corps in dividing the curriculum as follows:

- One week on general employability skills
- One week on construction and safety
- Two weeks on disposal of hazardous wastes
- Two weeks on home energy efficiency and basic residential green construction

The curriculum was developed by the Laborers Local in conjunction with the New Jersey Building Laborers Training Fund. The two locals—55 covering New Jersey and Delaware, and 10 covering New York City and Long Island—were chartered only one year ago. They were created with the specific purpose of organizing workers in the residential construction industry.<sup>47</sup> Neither of the locals had existing members, so this training program provided an avenue to build new union membership.

For more information on the Weatherization and Energy Efficiency Program, see the GANE website at <http://ganenj.org/article.php?id=57>.

### **Scenario 3: Green Social and Community Entrepreneurship**

Throughout most of the 20<sup>th</sup> century, Middletown's regional economy was driven by manufacturing—most of its residents were employed in the factories assembling parts into products in an industry dominated by three multinational businesses. Workers were represented by a union that bargained for middle-class wages that sustained Middletown families. However, the opening of global trade decimated the manufacturing industry in Middletown. Factories relocated to right-to-work states or the global south, where they could escape scrutiny by organized labor and government oversight of unfair labor practices. Family breadwinners lost their jobs, and factories were shuttered—their once operable gray turbines still dominate the city landscape.

Basic services that residents previously had access to were now absent from Middletown. Neighborhoods were marked by homes abandoned by residents unable to find work in the city. Mom-and-pop stores were closed because of high costs and low revenues. Middletown residents were forced to do their grocery shopping at the one remaining supermarket, which charged exorbitant prices for fresh vegetables and fruit. Main Street, which was populated by bustling small businesses 20 years ago, was now a ghost town lined by vacant lots and a few liquor stores still operational.

Three years ago, Middletown Justice gathered together community members to discuss food insecurity in neighborhoods with mostly residents of color. Together, the community decided to occupy and plant seeds in a quarter-acre garden on the site of an empty lot in the heart of downtown. Neighbors worked shoulder-to-shoulder to rid the lot of the debris that had accumulated in the land, till the soil and plant a crop of organic vegetables and fruit.

Middletown Justice also lobbied city officials to establish a farmers market in the downtown area, accessible by public transportation and operating during weekday evening and weekend hours. The farmers applied and received a

**501(c)(3) non-profit status**, which enabled them to apply for foundation and federal monies to purchase large-scale farm equipment, such as rototillers and coolers. A consultant was brought in from the Farm Credit Council, which helped the Middletown farmers to establish a community supported agriculture (CSA) program where community members purchased seasonal shares and received weekly allotments of the produce harvested.

The first year of the farm's operations yielded a \$20,000 in revenue, a sizable sum but not enough to sustain the 10 families invested in the farm with their sweat equity. They decided early on that the farm would be **cooperatively owned**, with each member of the farm earning an equal share in ownership and profits. With the help of the city and Middletown Justice, the farmers obtained other vacant lots, which they converted into urban farms. One site was a former parts factory, closed now for 10 years. Raised beds, with amended soil, nourish crops of butternut squash, kale and other vegetables, now flourishing amidst the ruins of the factory.



Figure 4: Harvest Festival at D-Town Farm, Detroit, MI.

Photo courtesy of Detroit Black Food Security

Actual models of urban farms that provide fresh foods for their community as well as an avenue for community wealth-building are proliferating across the country, from Brooklyn to San Francisco.<sup>48</sup> A good example, in the heart of the national former automobile manufacturing center, is the Detroit Black Community Food Security Network (DBCFSN), a coalition working together to build a green oasis of food security in Detroit's Black community.

The program includes the following components:

- Influencing public policy
- Promoting urban agriculture
- Encouraging cooperative buying
- Promoting healthy eating habits
- Promoting equitable and sustainable public policy
- Facilitating mutual support and collective action among members
- Encouraging youth to pursue careers in agriculture, aquaculture, animal husbandry, bee-keeping and other food-related industries<sup>49</sup>

Their key program is the founding and operation of D-Town Farm, a two-acre model urban farm located in Rouge Park in northwestern Detroit. According to their website, the farm consists of organic vegetable plots, two beehives, a hoop house for year-round food production and a composting operation.

See <http://detroitblackfoodsecurity.org/index.html> for more information about DBCFSN and their three areas of activities: urban agriculture, policy development and cooperative buying.



Figure 5: Will Allen at the Growing Power farm.

Photo courtesy of Growing Power.

*ColorLines* magazine profiled innovator Will Allen in its September-October 2008 issue.<sup>50</sup> With his daughter Erika, he founded an organization named Growing Power to promote food justice through urban farming in Milwaukee, Wisconsin. Growing Power operates an urban farm that grows and sells organic fruits and vegetables popular in Black southern cuisine and in local Hmong and Oneida Indian communities.

The farm also distributes their produce to the community through a **Market Basket** program, where for \$12, a family receives a bag of organic foods weekly. Unique to Allen's farm is the innovation of an **aquaponics program**, to raise tilapia fish in tanks with water filtered by the vegetables. The fish waste, which is rich in nutrients, is then used to fertilize the plants.

See <http://www.growingpower.org/> for more information on Will Allen's farm.

**“It’s about reinventing the way food is grown, showing people that we could do it in urban areas too,” Erika Allen told *ColorLines*. “We’re working to provide the fertility and systems so that you can grow anywhere from rooftops to parking lots and containers, so that people can be self-sufficient in their food needs.”**

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41. Resources are available to help advocates calculate a living wage or family self-sufficiency standard for a given region. See the Living Wage Calculator at <http://www.livingwage.geog.psu.edu/> or the Self-Sufficiency Calculator at <http://www.insightccd.org/communities/cfess/calculator.html>.
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43. "Community Workforce Agreement on Standards and Community Benefits in the Clean Energy Works Portland Pilot Project," Green for All. September 24, 2009. <http://www.greenforall.org/resources/community-workforce-agreement-clean-energy-works-portland/download>.
44. Pinderhughes, Raquel. "Green Collar Jobs: An Analysis of the Capacity of Bay Area Green Businesses to Provide High Quality Work Force Opportunities for Low-Income Men and Women with Barriers to Employment." 2007. <http://bss.sfsu.edu/raquelrp/documents/v13FullReport.pdf>.
45. "Oakland Green Jobs Corps." Green-Collar Jobs Campaign, Ella Baker Center. [www.ellabakercenter.org/index.php?p=gcjc\\_green\\_jobs\\_corps](http://www.ellabakercenter.org/index.php?p=gcjc_green_jobs_corps).
46. "Weatherization and Residential Energy Efficiency Program in Newark, NJ." Green for All Case Studies from the Green Collar Economy. June 2009. <http://www.greenforall.org/what-we-do/building-a-movement/community-of-practice/case-studies/newark-green-jobs>.
47. Ibid.
48. "An Overview of Urban Farming: A Report from Green for All's Capital Access Program." Green for All. 2009. <http://www.greenforall.org/what-we-do/capital-access-program/overview-of-urban-farming>.
49. "Statement of Purpose." Detroit Black Community Food Security Network (DBCFSN). October 2009. <http://detroitblackfoodsecurity.org/about.html>.
50. Nguyen, Tram. "Growing Power." *ColorLines*, September-October 2008. <http://www.colorlines.com/article.php?ID=442> (accessed 11/2/09).

# APPENDIX A: GREENING OCCUPATIONS

GREEN SECTOR	DESCRIPTION	SAMPLE OCCUPATIONS
Agriculture and Forestry	Usage of natural pesticides, efficient land management or farming, and aquaculture.	Agricultural Inspectors; Farmers and Ranchers; Landscape Architects
Energy and Carbon Capture	Captures and stores energy and/or carbon emissions.	Power Plant Operators; Carbon Capture and Sequestration Systems Installers
Energy Efficiency	Increases energy efficiency and reduces waste.	Energy Auditors; Insulation Workers (Floor, Ceiling and Wall); Weatherization Installers and Technicians
Energy Trading	Provides financial services for buying and selling energy as a commodity, as well as carbon trading projects.	Carbon Credit Traders; Carbon Trading Analysts; Energy Brokers
Environment Protection	Efforts related to environmental remediation, climate change adaptation, and ensuring or enhancing air quality.	Brownfield Redevelopment Specialists and Site Managers; Climate Change Analysts; Water Resource Specialists
Government and Regulatory	Creates and enforces regulations for conservation and pollution prevention.	Air Quality Control Specialists; Chief Sustainability Officers; Greenhouse Gas Emissions Report Verifiers
Green Construction	Constructs and designs new green buildings, retrofits residential and commercial buildings, and installs other green construction technologies.	Construction Laborers; Energy Engineers; Maintenance and Repair Workers
Manufacturing	Produces green technology and applies energy efficiency to processes.	Chemical Plant and System Operators; Industrial Safety and Health Engineers; Laborers; Freight, Stock, and Material Movers (Hand)
Recycling and Waste Reduction	Manages solid waste and wastewater treatment and reduction.	Refuse and Recyclable Material Collectors; Recycling Coordinators; Sustainable Design Specialists
Renewable Energy Generation	Generates electricity by renewable energy sources including wind, solar, geothermal, hydropower, biomass and hydrogen.	Biofuels Processing Technicians; Hydroelectric Production Managers; Solar Photovoltaic Installers
Research, Design and Consulting	Services green economy indirectly through energy consulting or research and other business services.	Atmospheric and Space Scientists; Fuel Cell Engineers; Urban and Regional Planners
Transportation	Reduces the environmental impact of different types of transportation, such as public transit, trucking, freight rail and water.	Bus Drivers (Transit and Intercity); Rail-Track Laying and Maintenance Equipment Operators; Truck Drivers (Heavy and Tractor-Trailer)

Source: O\*NET, Greening the World of Work, Feb. 2009.

# APPENDIX B: ADDITIONAL INFORMATION ON EQUITY HANDLES

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>I. EQUAL OPPORTUNITY</b>				
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964	Federal	<ul style="list-style-type: none"> <li>Prohibits discrimination on the basis of race, color and national origin</li> <li>Requires language access for limited-English-proficient persons in programs and activities that receive federal financial assistance.<sup>A</sup></li> <li>Agencies distributing federal awards are responsible for monitoring and enforcing Title VI. Fund recipients found in violation of Title VI can lose its federal funding.</li> </ul>	Applies to any program or activity that receives federal financial assistance. Federal assistance includes monetary awards as well as nonmonetary incentives such as the use or rent of federal land, federal training, the loan of federal personnel, subsidies, etc. <sup>B</sup>	The Department of Justice (DOJ) oversees pre-award reviews. <sup>C</sup> Refer to Title VI of the Civil Rights Act of 1964 <sup>D</sup> and "Title VI Manual," DOJ, 2001 <sup>E</sup> .
TITLE VII OF THE CIVIL RIGHTS ACT OF 1964 <sup>F</sup>	Federal	Protects individuals against employment discrimination on the bases of race and color, as well as national origin, sex and religion.	<ul style="list-style-type: none"> <li>Private employers with 100 or more workers and federal contractors with 50 or more workers and \$50,000 or more in federal contracts are required to file an equal opportunity report by September 30 of each year.<sup>G</sup> Employers who make willfully false statements in their reports are punished by fine or imprisonment.<sup>H</sup></li> <li>Any employer who meets the requirements for compliance and fails to file may be compelled to file by order of a U.S. District Court.<sup>I</sup></li> </ul>	The Equal Employment Opportunity Commission (EEOC) and state Fair Employment Practices Agencies (FEPA) <sup>J</sup> enforce Title VII by investigating equal opportunity complaints, mediating and filing lawsuits on behalf of employees.

A. "Title VI of the Civil Rights Act of 1964." U.S. Department of Justice. [www.usdoj.gov/crt/cor/coord/titlevi.php](http://www.usdoj.gov/crt/cor/coord/titlevi.php) (accessed 8/29/09).

B. "Title VI Legal Manual." U.S. Department of Justice. January 2001. [www.usdoj.gov/crt/cor/coord/vimannual.pdf](http://www.usdoj.gov/crt/cor/coord/vimannual.pdf) (accessed 8/29/09).

C. Ibid.

D. "Title VI of the Civil Rights Act of 1964." U.S. Department of Justice. [www.usdoj.gov/crt/cor/coord/titlevi.php](http://www.usdoj.gov/crt/cor/coord/titlevi.php). (accessed 8/29/09).

E. "Title VI Legal Manual." U.S. Department of Justice. January 2001. [www.usdoj.gov/crt/cor/coord/vimannual.pdf](http://www.usdoj.gov/crt/cor/coord/vimannual.pdf).

F. "Race/Color Discrimination." The U.S. Equal Employment Opportunity Commission. January 2001. [www.eeoc.gov/types/race.html](http://www.eeoc.gov/types/race.html). (accessed 10/02/09).

G. "EEO-1: Who Must File." U.S. Equal Employment Opportunity Commission. June 2007. [www.eeoc.gov/eo1survey/whomustfile.html](http://www.eeoc.gov/eo1survey/whomustfile.html). (accessed 8/30/09).

H. "EEO-1: Legal Basis for Requirements." Title 29, Chapter XIV Code of Federal Regulations, § 1602.8. U.S. Equal Employment Opportunity Commission. [www.eeoc.gov/eo1survey/legalbasis.html](http://www.eeoc.gov/eo1survey/legalbasis.html) (accessed 8/31/09).

I. Ibid.

J. "EEOC Field Offices." The U.S. Equal Employment Opportunity Commission. [www.eeoc.gov/offices.html](http://www.eeoc.gov/offices.html) (accessed 8/31/09).

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>I. EQUAL OPPORTUNITY (continued)</b>				
TITLE IX OF THE EDUCATION AMENDMENTS OF 1972	Federal	Comprehensive federal law that prohibits discrimination on the basis of sex in any federally funded education program or activity.	<ul style="list-style-type: none"> <li>• The objective is to prevent the use of federal money to support sexually discriminatory practices in education programs, and to provide individual citizens effective protection against those practices.</li> <li>• Applies, with a few specific exceptions, to all aspects of federally funded education programs or activities.</li> <li>• In addition to colleges, universities, and elementary and secondary schools, Title IX also applies to any educational or training program operated by a recipient of federal financial assistance.<sup>K</sup></li> </ul>	The DOJ's "Title IX Legal Manual" is available on the Civil Rights Division's website. <sup>L</sup>

K. "Title IX of the Education Amendments of 1972." U.S. Department of Justice. [www.usdoj.gov/crt/cor/coord/titleix.php](http://www.usdoj.gov/crt/cor/coord/titleix.php) (accessed 10/02/09).

L. "Title IX Legal Manual." U.S. Department of Justice, January 2001. [www.usdoj.gov/crt/cor/coord/ixlegal.php](http://www.usdoj.gov/crt/cor/coord/ixlegal.php) (accessed 10/02/09).

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>II. AFFIRMATIVE ACTION</b>				
EXECUTIVE ORDER 11246	Federal	<ul style="list-style-type: none"> <li>Prohibits job discrimination on the basis of race, color, religion, sex or national origin, and requires affirmative action to ensure equality of opportunity in all aspects of employment.</li> <li>DOL's Office of Federal Contract Compliance Programs (OFCCP) is authorized to act as EEOC's agent in processing, investigating and resolving the Title VII component of complaints filed with OFCCP under EO 11246.</li> </ul>	<ul style="list-style-type: none"> <li>All contractors and subcontractors who have federally assisted construction contracts and subcontracts exceeding \$10,000 must comply with EO 11246.<sup>M</sup></li> <li>Non-construction contractors with federal contracts over \$50,000 and who employ at least 50 workers are required to develop and maintain a written EO 11246 affirmative action program.</li> <li>Affirmative action goals under EO 11246 are targets for recruitment and outreach. Construction contractors are expected to comply with them in "good faith."<sup>N</sup></li> <li>Participation goals are a percentage of the hours worked by the contractor's total workforce in each trade on all construction work performed in the geographic area. The goal for women is currently 6.9 percent of work hours and applies to all of a contractor's construction sites. Goals for people of color are calculated as work hours performed in a Standard Metropolitan Statistical Area (SMSA) or Economic Area (EA).</li> </ul>	Refer to the full text of EO 11246 and "Affirmative Action Guidelines for Federal Contractors Regarding Race, Color, Gender, Religion, and National Origin." <sup>O</sup> .

M. "Technical Assistance Guide for Federal Construction Contractors, Employment Standards Administration." Office of Federal Contract Compliance Programs. May 2009. [www.dol.gov/esa/ofccp/TAGuides/constag.pdf](http://www.dol.gov/esa/ofccp/TAGuides/constag.pdf) (accessed 10/02/09).

N. Ibid.

O. "Affirmative Action Guidelines for Federal Contractors Regarding Race, Color, Gender, Religion, and National Origin." U.S. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP). [www.dol.gov/esa/ofccp/regs/compliance/fs11246.htm](http://www.dol.gov/esa/ofccp/regs/compliance/fs11246.htm) (accessed 10/02/09).

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>III. LOCAL HIRING AND TRAINING</b>				
THE WORK OPPORTUNITY TAX CREDIT (WOTC)	Federal	Federal tax credit is available to all private-sector businesses as an incentive to hire from targeted groups that face barriers to employment. State and regional WOTC coordinators are responsible for certifying employer requests for the tax credit, using IRS Form 8850 and ETA Form 9061 or 9062. <sup>P</sup>	Employers can reduce their federal income tax liability by up to \$9,000 by hiring a new employee from the targeted group. Targeted groups include welfare or food stamp recipients, veterans, "high risk youth," <sup>Q</sup> youth employed for the summer <sup>R</sup> , job seekers with criminal backgrounds and Social Security recipients. <sup>S</sup>	For more information on the WOTC, call or visit your local WOTC Coordinator. <sup>T</sup>  For information about EZ/EC/RC locations, visit the U.S. Department of Housing and Urban Development (HUD) website. <sup>U</sup> .
THE FEDERAL BONDING PROGRAM	Federal	Provides Fidelity Bonds that guarantee the employment of job seekers with criminal backgrounds. A fidelity bond is a business insurance policy that protects the employer in case of any loss of money or property. <sup>V</sup> State Employment Services (ES) are responsible for issuing the bonds that the DOL purchases from the Travelers Insurance Company.	At-risk job applicants are ex-offenders, recovering substance abusers, welfare recipients, persons who have poor credit, individuals dishonorably discharged from the military, and economically disadvantaged youth and adults who lack a work history. There are no age restrictions; anyone of legal working age as determined by the state can be bonded. Job seekers can be bonded for job placement with an employer even if other workers already at the company are not bonded.	The Federal Bonding Program is a partnership between the U. S. Department of Labor (USDOL) and The McLaughlin Company, an insurance brokerage firm, as agent for Travelers Casualty and Surety Company of America. For more information, refer to the official website of the USDOL's Federal Bonding Program. <sup>W</sup>

P. "Work Opportunity Tax Credit." DOL U.S. Department of Labor, Employment and Training Administration. [www.doleta.gov/business/Incentives/opptax/](http://www.doleta.gov/business/Incentives/opptax/) (accessed 8/30/09).

Q. Defined as a resident who is age 18–39 and lives in a neighborhood designated by the federal government as an Empowerment Zone (EZ), Enterprise Communities (EC), or Renewal Communities (RC).

R. Also an EZ/EC or RC resident.

S. "Work Opportunity Tax Credit." DOL U.S. Department of Labor, Employment and Training Administration. [www.doleta.gov/business/Incentives/opptax/](http://www.doleta.gov/business/Incentives/opptax/) (accessed 8/30/09).

T. A directory of state and regional WOTC coordinators is available at [www.doleta.gov/business/Incentives/opptax/pdf/Directory\\_SWA\\_WOTC\\_Coords.pdf](http://www.doleta.gov/business/Incentives/opptax/pdf/Directory_SWA_WOTC_Coords.pdf) and [http://www.doleta.gov/business/Incentives/opptax/pdf/Directory\\_Regional\\_WOTC\\_Coords.pdf](http://www.doleta.gov/business/Incentives/opptax/pdf/Directory_Regional_WOTC_Coords.pdf).

U. U.S. Department of Housing and Urban Development. <http://www.hud.gov/cr> (accessed 10/02/09).

V. "Employment Information Handbook, 2008." Federal Bureau of Prisons, Inmate Transition Branch. 2008. p. 9. [www.unicor.gov/about/about\\_fpi\\_programs/inmate\\_transition/pdf/employment\\_handbook.pdf](http://www.unicor.gov/about/about_fpi_programs/inmate_transition/pdf/employment_handbook.pdf) (accessed 10/2/09).

W. "Federal Bonding Program." U.S. Department of Labor. [/www.bonds4jobs.com](http://www.bonds4jobs.com) (accessed 10/02/09).

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>III. LOCAL HIRING AND TRAINING (continued)</b>				
COMMUNITY BENEFITS AGREEMENTS (CBA)	Project	<ul style="list-style-type: none"> <li>• First-source requirements can be negotiated in community benefits agreements (CBAs) between community-based organizations, labor, local governments and contractors for new development and construction.</li> <li>• Legally enforceable contracts<sup>X</sup> between developers and coalitions that ensure local residents benefit from major developments.<sup>Y</sup></li> <li>• CBAs are crafted through negotiation processes in which the developer grants certain benefits to the community, such as local hiring of residents at a living wage, in return for the community support of the developer in front of elected officials. Movement for community benefits began in California among organizations that brokered coalitions between labor, community organizations and developers. More than 13 CBAs are in currently in effect.<sup>Z</sup></li> </ul>	Typically, CBAs pertain to new construction and require that local residents be hired to build and maintain the development at sustainable wages. To date, local hire requirements have been won successfully by campaigns from Seattle, Washington, to Atlanta, Georgia. <sup>AA</sup>	See the Partnership for Working Families' Community Benefits and Responsible Development portal. <sup>BB</sup>
BEST VALUE CONTRACTING (BVC)	Local or Project	This is a method used by the government to solicit bids for the design, construction and management of a project. Contractor selection is based not only on the lowest-cost bid, but also on the best value in terms of cost and bidder qualifications. <sup>CC</sup>	<ul style="list-style-type: none"> <li>• A list of qualifications for bidders is stipulated in the request for proposal (RFP), and the fulfillment of each qualification garners a point. The bidder with the most points and a competitive cost wins the bid.</li> <li>• In order to use BVC, legislation needs to enable it at the state, city or agency level.</li> </ul>	See the "Best Value Contracting and Responsible Employer Ordinances" presentation by National Laborers-Employers Cooperation and Education Trust. <sup>DD</sup>

X. Hudson, Gerry et al. "Eyes on the Prize: Program Architecture of Emerald Cities." December 31, 2008. [emeraldcities.org/resources\\_files/Eyes%20on%20the%20Prize.pdf](http://emeraldcities.org/resources_files/Eyes%20on%20the%20Prize.pdf) (accessed 9/1/09).

Y. Gross, Julian et al. "Community Benefits Agreements: Making Development Projects Accountable." Good Jobs First and Partnership for Working Families. 2005. [www.goodjobsfirst.org/pdf/cba2005final.pdf](http://www.goodjobsfirst.org/pdf/cba2005final.pdf).

Z. "CBAs Currently in Effect." Partnership for Working Families. [www.communitybenefits.org/article.php?list=type&type=46](http://www.communitybenefits.org/article.php?list=type&type=46) (accessed 9/1/09).

AA. "Targeted Hiring." Partnership for Working Families. [communitybenefits.org/article.php?list=type&type=160](http://communitybenefits.org/article.php?list=type&type=160) (accessed 11/4/09).

BB. "Community Benefits and Responsible Development." Partnership for Working Families. [communitybenefits.org/article.php?list=type&type=163](http://communitybenefits.org/article.php?list=type&type=163) (accessed 11/4/09).

CC. Foshay, Elena. "Attaching Labor Standards to Energy Efficiency Programs." Memo to Apollo state and local partners, Apollo Alliance. February 18, 2008.

DD. "Best Value Contracting and Responsible Employer Ordinances." National Laborers-Employers Cooperation and Education Trust. [www.lecet.org/Clearinghouse\\_Public/LECET/bestvalue/bestvalue.htm](http://www.lecet.org/Clearinghouse_Public/LECET/bestvalue/bestvalue.htm) (accessed 11/2/09).

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>IV. WAGE AND HOUR</b>				
THE FAIR LABOR STANDARDS ACT (FLSA) OF 1938	Federal	<ul style="list-style-type: none"> <li>Prescribes standards for the federal minimum wage and overtime pay of one-and-a-half times the regular rate.</li> <li>The Wage and Hour Division (WHD) of the Employment Standards Administration (ESA) is responsible for administration and enforcement. Recent reports have exposed the ineffectual intake process that WHD has towards complaints. Secretary of Labor Hilda Solis recently hired 150 new WHD investigators, a move that hopefully will increase the efficacy of response.<sup>EE</sup></li> </ul>	<ul style="list-style-type: none"> <li>Applies to employees engaged in interstate commerce or employed by an enterprise engaged in commerce or in the production of goods for commerce, unless exempted by an employer.</li> <li>Protects children under age 16 who work, limiting the hours they can work in nonagricultural sectors and forbidding the employment of children under age 18 in jobs that are deemed dangerous.</li> </ul>	The Act is administered by ESA's WHD within the DOL. <sup>FF</sup>
LIVING WAGE ORDINANCES	Local	Living wage ordinances are enacted in over 120 cities and require that private businesses that benefit from public monies provide their workers a living wage. <sup>GG</sup>	<ul style="list-style-type: none"> <li>Employers with city or county contracts or who receive financial assistance from the city must comply with the ordinance.<sup>HH</sup></li> <li>A living wage is defined as equivalent to the federal poverty level for a family of four, which is currently \$11.02 per hour.<sup>II</sup> That's one-and-a-half times greater than the current federal minimum wage of \$7.25 an hour.<sup>JJ</sup></li> </ul>	See the Association of Community Organizations for Reform Now's (ACORN) Living Wage Resource Center website, <a href="http://livingwagecampaign.org">http://livingwagecampaign.org</a> .

EE. Troitman, Melanie. "Labor Department to Tighten Scrutiny." Wall Street Journal. 8/19/09. [online.wsj.com/article/SB125064127552641791.html](http://online.wsj.com/article/SB125064127552641791.html) (11/4/09).

FF. "Compliance Assistance By Law: The Fair Labor Standards Act (FLSA)." U.S. Department of Labor. [www.dol.gov/compliance/laws/comp-flsa.htm](http://www.dol.gov/compliance/laws/comp-flsa.htm) (accessed 10/02/09).

GG. "The Living Wage Resource Center: The National Movement." ACORN. [livingwagecampaign.org/index.php?id=2071](http://livingwagecampaign.org/index.php?id=2071) (accessed 8/30/09).

HH. Ibid.

II. The U.S. Department of Health and Human Services (HHS) 2009 poverty guidelines for a family of four is \$22,050, and assuming that the employee works 50 weeks at 40 hours, the living hourly wage is \$11.02.

JJ. "Minimum Wage." DOL U.S. Department of Labor, Wage and Hour Division (WHD). [www.dol.gov/esa/whd/minimumwage.htm](http://www.dol.gov/esa/whd/minimumwage.htm) (accessed 8/30/09)

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>IV. WAGE AND HOUR (continued)</b>				
THE DAVIS BACON AND RELATED ACTS (DBRA)	Federal, Construction Sector Only	Requires all contractors and subcontractors performing work on federal or District of Columbia construction contracts or federally assisted contracts in excess of \$2,000 to pay their laborers and mechanics not less than the prevailing wage rates and fringe benefits for corresponding classes of laborers and mechanics employed on similar projects in the area. <sup>KK</sup>	The Secretary of Labor determines the prevailing wage rates and fringe benefits by county.	The DOL offers information to help businesses comply with the requirements of the DBRA on their website. <sup>LL</sup>
SECTION 1606 OF THE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA)	Federal, Construction Sector Only	Stipulates that recipients of awards must pay prevailing wages under the Davis-Bacon Act to all laborers and mechanics. <sup>MM</sup>	The DOL released prevailing wage determinations for weatherization workers. <sup>NN</sup>	See Implementing Guidance from the Federal Highway Administration in the Recovery Act <sup>OO</sup> .
EQUAL PAY ACT OF 1964	Federal	Prohibits sex discrimination in payment of wages to women and men performing substantially equal work in jobs that require equal skill, effort and responsibility under similar working conditions in the same establishment. <sup>PP</sup>	The job where a pay gap exists need not be an identical one held by men and women, but they must be substantially equal. According to the EEOC, it is job content, not job titles, that determines whether jobs are substantially equal.	<ul style="list-style-type: none"> <li>To help employees and employers understand their rights and responsibilities under these laws with regard to compensation discrimination, the EEOC has developed a fact sheet about compensation discrimination.<sup>QQ</sup></li> <li>A more comprehensive discussion of compensation discrimination can be found in two sections of the EEOC's new Compliance Manual.<sup>RR</sup></li> </ul>

KK. "The Davis-Bacon and Related Acts (DBRA)." U.S. Department of Labor. [www.dol.gov/compliance/laws/comp-dbra.htm](http://www.dol.gov/compliance/laws/comp-dbra.htm) (accessed 8/30/09).

LL. See the compliance requirements for the Davis-Bacon and Related Acts (DBRA) at [www.dol.gov/compliance/laws/comp-dbra.htm](http://www.dol.gov/compliance/laws/comp-dbra.htm).

MM. See Sec. 1606, Division A, Pub. L. No. 11 1-5, 123 Stat. 303.

NN. "Prevailing Wage Determinations for Weatherization." U.S. Department of Energy, Weatherization Assistance Program. [apps1.eere.energy.gov/weatherization/dol\\_wage\\_determination.cfm](http://apps1.eere.energy.gov/weatherization/dol_wage_determination.cfm) (accessed 8/31/09)

OO. "American Recovery and Reinvestment Act of 2009: Implementing Guidance." U.S. Department of Transportation, Federal Highway Administration. [www.fhwa.dot.gov/economicrecovery/guidance.htm](http://www.fhwa.dot.gov/economicrecovery/guidance.htm) (accessed 10/02/09).

PP. "Equal Opportunity Poster." The Office of Federal Contract Compliance Programs, Publication 1420. August 2008. [www.dol.gov/esa/ofccp/regs/compliance/posters/pdf/eeopost.pdf](http://www.dol.gov/esa/ofccp/regs/compliance/posters/pdf/eeopost.pdf).

QQ. "Facts About Equal Pay and Compensation Discrimination." The U.S. Equal Employment Opportunity Commission. [www.eeoc.gov/facts/fs-epa.html](http://www.eeoc.gov/facts/fs-epa.html) (accessed 10/02/09).

RR. EEOC Compliance Manual. The U.S. Equal Employment Opportunity Commission. [www.eeoc.gov/policy/compliance.html](http://www.eeoc.gov/policy/compliance.html) (accessed 10/02/09).

HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>IV. WAGE AND HOUR (continued)</b>				
THE WAGE THEFT PREVENTION ACT (H.R. 3303)	Federal	Introduced in July 2009 and sponsored by Representatives George Miller (D-CA) and Lynn Woolsey (D-CA), in response to the U.S. Government Accountability Office (GAO) report finding the WHD ineffective at responding to violation complaints.	The Act would protect workers when employers drag out investigations and when the GAO fails to respond in a timely manner. <sup>SS</sup>	For more information, see the full text of the Act. <sup>TT</sup>
<b>V. SAFETY AND HEALTH</b>				
THE OCCUPATIONAL SAFETY AND HEALTH (OSH) ACT IN 1970	Federal	Ensures that work environments in the private sector and federal government are free from recognized hazards, such as heat stress, lead exposures, and mechanical dangers. The Occupational Safety and Health Administration (OSHA) is responsible for administration and enforcement through investigations and inspections.	Applies to all employers and workers in the U.S.	See the complete text of the OSH Act. <sup>UU</sup>
<b>VI. LABOR PEACE AGREEMENTS</b>				
PROJECT LABOR AGREEMENTS (PLAS)	Project	<ul style="list-style-type: none"> <li>PLAs, also known as pre-hire contracts, are negotiated between construction unions and contractors to cover all workers on a project and set the terms of their wages, benefits and other work conditions, even before the workers are hired.<sup>VV</sup></li> <li>Executive Order 13502 (signed by President Obama on February 6, 2009) encourages the use of PLAs on federal construction projects where the total cost is \$25 million or more.<sup>WW</sup></li> </ul>	PLAs require that all workers are represented by the bargaining agreement, regardless of whether they're union members, and sometimes stipulate that all hiring occur through a union hall.	For more information, see the full text of President Obama's Executive Order to authorize the use of PLAs for federal construction projects. <sup>XX</sup>

SS. "Labor Dept. Fails the Wage Theft Test." In These Times, 7/29/09. [inthesetimes.com/working/entry/4682/labor\\_dept.\\_fails\\_the\\_wage\\_theft\\_test/](http://inthesetimes.com/working/entry/4682/labor_dept._fails_the_wage_theft_test/) (accessed 9/1/09).

TT. Wage Theft Prevention Act (H.R. 3303). [www.opencongress.org/bill/111-h3303/show](http://www.opencongress.org/bill/111-h3303/show).

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HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>VI. LABOR PEACE AGREEMENTS (continued)</b>				
THE NATIONAL LABOR RELATIONS ACT (NLRA) OF 1935	Federal	<ul style="list-style-type: none"> <li>Protects the rights of employees and employers, and encourages collective bargaining for the purpose of negotiating the terms and conditions of their employment.<sup>YY</sup></li> <li>The National Labor Relations Board (NLRB) is an independent federal agency created by Congress in 1935 to administer the NLRA.</li> </ul>	<ul style="list-style-type: none"> <li>Unfair labor practices by employers include coercing employees to dissuade them from organizing, retaliating against employees who are organizers and refusing to bargain collectively with the workers' representative.</li> <li>Numerous state and local bills have been enacted to protect the workers' right to organize.<sup>ZZ</sup></li> </ul>	See NLRB's website. <sup>AAA</sup>
LABOR PEACE AGREEMENTS	Federal	Numerous state and local bills have been enacted to protect the workers' right to organize.	<ul style="list-style-type: none"> <li>Varies at the local level.</li> </ul>	See Labor Notes article by Kumar and Feingold. <sup>BBB</sup>
EMPLOYEE FREE CHOICE ACT (EFCA)	Federal	This is a proposed amendment to the NLRA. Its purpose is to establish an efficient system that enables employees to form, join or assist labor organizations; provides for mandatory injunctions for unfair labor practices during organizing efforts; and so on. The chief innovation that EFCA introduces is the ability for workers to vote to join a union by signing and submitting a card, also known as a "card check agreement."	House version of the bill, H.R. 1409 has passed, but the Senate bill S. 560 is stalled in committee.	See AFL-CIO's resource center on EFCA. <sup>CCC</sup>

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HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>VII. GREEN STARTUPS</b>				
THE CLEAN ENERGY FINANCE AUTHORITY (CEFA)	Federal	Established by the ARRA to provide \$6 billion in funding for loan guarantees expected to leverage over \$75 billion in new, private capital for renewable energy investments. <sup>DDD</sup>	The CEFA will expand existing loan guarantees offered by the Departments of Energy and Agriculture to encourage investment in green sectors.	See the U.S. Department of Energy's Loan Guarantee program and USDA's Rural Development Guaranteed Loan program websites. <sup>EEE</sup>
THE ENERGY POLICY ACT OF 1992	Federal	This Act created the Production Tax Credit (PTC) for renewable energy generation. <sup>FFF</sup> Businesses can claim an income tax credit of 2.1 cents per kilowatt-hour generated.	This credit is available to wind-, geothermal- and bioenergy-generation projects.	The U.S. Department of Energy (DOE) Vehicle Technologies Program manages several transportation-related regulatory activities established by the Energy Policy Act of 1992. <sup>GGG</sup>
THE MINORITY BUSINESS DEVELOPMENT AGENCY (MBDA)	Federal	The MBDA at the U.S. Department of Commerce helps to advance the establishment and growth of firms owned by people of color. It offers a portal for businesses owned by people of color to apply for ARRA stimulus projects. <sup>HHH</sup>	<ul style="list-style-type: none"> <li>To qualify for the Small Business Administration (SBA) loan programs, the borrower must be a "for profit enterprise" and a small business as defined in the size guidelines of the SBA (Title 13 of the CFR, Part 121).</li> <li>Size standards define the maximum size that a firm (including all of its affiliates) may be to qualify as a small business for SBA programs.<sup>III</sup></li> </ul>	See the MBDA website for more information. <sup>JJJ</sup>

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HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>VII. GREEN STARTUPS (continued)</b>				
GREEN FOR ALL'S ENERGY EFFICIENCY OPPORTUNITY FUND	Federal	Launched in September 2009, the Energy Efficiency Opportunity Fund is a social investment fund that will finance projects like retrofitting buildings to achieve greater energy efficiency. The fund is being sponsored by Living Cities, a consortium of foundations and financial institutions that invests capital to strengthen low-income communities and Green for All. It plans to pay investors an annual return of 2–3 percent on their principal investment in green projects. Some of the potential first investments of the fund include a \$10 million initiative to retrofit up to 5,000 low-income rental apartments and a \$6–\$10 million program that will recruit, train and place up to 1,400 low-income people in jobs related to environmental efficiency—so-called <i>green-collar jobs</i> .	Green For All has not specified the criteria with which they will decide which “innovative efforts that create jobs and cut energy costs for low-income families” receive these investments.	See the Green For All website regularly for updates and information on the Energy Efficiency Opportunity Fund. <sup>KKK</sup>
COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS (CDFI)	Local	CDFIs provide an array of financial services in their target areas, including mortgage financing for homebuyers, financing for the rehabilitation of rental housing, financing for the building and rehabilitation of community facilities, commercial loans to small and microenterprise businesses, and financial services needed by low-income households and businesses in the target areas. <sup>LLL</sup>	CDFIs are mission-based financial intermediaries that borrow capital from various sources and lend it in the community—primarily in low-income and low-wealth communities—to support affordable housing and homeownership, community services, small businesses, micro-enterprises, other community development projects and infrastructure projects, and individual community members.	<ul style="list-style-type: none"> <li>• See the CDFI Coalition’s website.<sup>MMM</sup></li> <li>• For more information, visit the website for the Treasury Department’s CDFI Fund.<sup>NNN</sup></li> </ul>

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HANDLE	SCOPE	MANDATE	CRITERIA	RESOURCES
<b>VII. GREEN STARTUPS (continued)</b>				
INCLUSIVE BUSINESS PROGRAMS. <sup>ooo</sup>	State	These programs promote disadvantaged businesses.	Disadvantaged businesses are defined as at least 51 percent owned, operated and controlled on a daily basis by a person of color or a woman. Typically certified by a city, state or federal agency.	See the Inisight's Center for Community Economic Development's Inclusive Business Initiative <sup>ppp</sup>
AFFIRMATIVE PROCUREMENT SYSTEMS.	State	Various states have initiatives to promote the purchase of products from suppliers owned by people of color and/or women.	Guidelines vary in each state and by agency.	See Fair Recovery's list of affirmative procurement programs by state. <sup>qqq</sup>

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# APPENDIX C: EQUITY DATA COLLECTION

*It is the best of times, it is the worst of times.*

—Charles Dickens, *A Tale of Two Cities*

The Obama administration enacted the \$787 billion American Recovery and Reinvestment Act (ARRA) back in February, the largest boon to public spending and the safety net since the New Deal, and yet economic conditions are the worst they've ever been for people of color and single moms. Unemployment is skyrocketing close to double digits, reaching 10.2 percent in October 2009, its highest level since at least 1970, according to the Bureau of Labor Statistics. Recent census data showed an increase in poverty from 12.5 percent to 13.2 percent this past year, meaning an additional 2.6 million persons now live in poverty. According to the Economic Policy Institute (EPI), certain groups experience the impact of this increase more than others:

- Latinos and Asians had marked increases in their poverty rates, by 1.6 and 1.4 points, respectively.
- Over one-third of all Black children and almost one third of all Latino children lived in poverty in 2008.
- Nearly a quarter of all families headed by single moms (that's 3.6 million families) lived in poverty in 2008.<sup>i</sup>

Tracking funds from the Recovery Act has proven to be difficult, because there is no centralized, authoritative source of where the money is going to and what it's being used for. Currently, information about ARRA funds are dispersed across the federal [recovery.gov](http://recovery.gov) website, state stimulus sites and watchdog groups. As of October 2009, recipients of monies are required to report on their activities and how many jobs they've created as a result. Even then, there is no requirement for recipients to stipulate race or gender in their data, so it is difficult to know how much the recovery benefits the people most adversely impacted the recession: people of color, single moms, and those living in poverty.

**“Tracking helps ensure that Florida’s funds are well spent, and communities of color are where the need is greatest and where the largest breakthroughs are possible,” said Gihan Perera of the Miami Workers Center. “Job creation in urban areas with persistently high unemployment will provide the largest return on our investment and put Florida on the path to full recovery.”<sup>ii</sup>**

Initial findings into recovery allocations by race, gender and economic need are troubling. A sampling of recovery analysis shows that the monies are not reaching those hardest hit by the recession. For example:

- Tracking by a research collaborative between the Miami Workers Center, Research Institute on Social and Economic Policy (RISEP), and the Kirwan Institute for the Study of Race and Ethnicity found that of all Recovery contracts allocated to Floridian firms, Black-owned firms have received 1.9 percent of the contracts, Latino-owned firms have received 6.1 percent, and women-owned contractors receive even less at 1.6 percent.<sup>iii</sup>
- ARC’s analysis of recovery allocations to Los Angeles County reveals a racial wealth divide that cleaves the county into two types of cities: poor and rich. Poor cities of the county are receiving a quarter of the recovery dollars per poor person, as compared to rich cities.<sup>iv</sup> For example, half of the residents of the City of Los Angeles are people of color, and one in five live in poverty. In contrast, our analysis designated cities such as Santa Monica and Beverly Hills as rich ones in the county, where more

i. Shierholz, Heidi. “New 2008 poverty data, income data reveal only tip of the recession iceberg.” Economic Policy Institute. September 2009. [www.epi.org/publications/entry/income\\_picture\\_20090910/](http://www.epi.org/publications/entry/income_picture_20090910/).

ii. “ARRA Jobs Reporting Incomplete, Benefits to Black and Latino Workers Unknown.” Miami Workers Center press release, October 30, 2009.

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iv. “A Tale of Two Cities.” Presentation by Yvonne Liu for “Working for an Equitable Economic Recovery”, a telebriefing sponsored The Opportunity Agenda. September 30, 2009.

than 70 percent of the population is white and the poverty rate is well below the national average.

- *The New York Times* reported in mid-October that states with the worst unemployment rates created very little jobs with stimulus monies.<sup>v</sup> Michigan, which has one of the nation's worst unemployment rates (at 15.3 percent in September 2009) created or saved 400 jobs, according to the *Times*. Nevada, with the second highest rate at 13.3 percent, reported only 159 jobs, and Rhode Island only six. Of course, no data is available regarding who the recipients of those jobs were, or their race, gender or economic need.

This is the worst economic downturn our country has experienced since the recession of the early 1980s and is flirting dangerously to parallel the Great Depression of the 1930s. What will our generation remember when we look back at this time? Did we seize the opportunity of the Great Recession to bring about a green transformation to sustain all peoples, especially those most distressed? We must act together to demand tracking equity data in the recovery, green or otherwise.

Local elected and appointed officials should support data collection of the following indicators, aligned to corresponding desired outcomes:

### **1. Maximization and equitable distribution of high-quality green jobs**

- Number of new high-quality green jobs created
- The average hourly and weekly wage earned by people of color and by women in green jobs
- Compliance rate of green employers paying prevailing wages for construction jobs
- Compliance rate of green employers with minimum or living wage ordinances
- Compliance rate of green employers paying for overtime hours
- Training provided to people of color and women employed in green jobs on how to report wage and hour violations
- Number of people of color and women employed in green jobs in unions
- Usage of project labor agreements for public contracts in green sectors

### **2. Expansion of employer-sponsored benefits**

- Number of people of color and women who receive retirement or pension benefits from green employers
- Number of people of color and women and their dependents who receive employer-sponsored health insurance
- Training provided to people of color and women employed in green jobs on how to report violations of leave benefits protected under the Fair Labor Standards Act
- Reduction of monthly housing and transportation costs to below 40 percent of take-home pay

### **3. Elimination of employment barriers and bias faced by disadvantaged communities**

- Type and number of barriers to employment removed for people of color and women
- Elimination of criminal background checks before and after hiring
- Compliance with affirmative action requirements
- Training provided to people of color and women employed in green jobs on how to report equal opportunity or affirmative action violations
- Partnerships between green job training programs and green employers

### **4. Expanded education opportunities and workforce development for disadvantaged communities**

- Expanded educational opportunities or workforce development programs for green jobs
- Number and percentage of women, people of color, and low-income people participating in educational and training programs for green jobs
- Number and percentage of women, people of color, and low-income people who have graduated from educational and training programs for green jobs
- Number of people of color and women training for green jobs
- Number of green-job training locations in zip codes with a high density of people of color and households headed by single women

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v. Cooper, M. and Nixon, R. "Job program found to miss many states that need it most." *The New York Times*, October 16, 2009. [www.nytimes.com/2009/10/16/us/16stimulus.html?\\_r=1](http://www.nytimes.com/2009/10/16/us/16stimulus.html?_r=1).

- Support systems to make educational and training programs for green jobs more accessible to people of color, women and low-income people
- Continuing education options for people of color and women, including employer-sponsored training and/or tuition payments
- New partnerships between green employers and industry experts to create professional development opportunities for people of color and women
- Industry-recognized certifications for green jobs held by people of color and women
- Industry-recognized credentials for trainers of green jobs programs with high enrollment by people of color and women
- Quality and relevancy of green training curriculum for people of color and women
- Amount and type of funding for teaching people of color and women through green curricula

### **5. Race and gender parity in hiring for high-quality green jobs**

- Number and percentage of women employed in high-quality, career-track new green jobs; and percentage of women employed compared to percentage of women in the local community
- Number and percentage of people of color employed in new high-quality, career-track green jobs, and percentage of people of color employed compared to percentage of people of color in the local community
- Number and percentage of low-income people employed in new high-quality, career-track green jobs, and percentage of people of color employed compared to percentage of low-income people in the local community
- Number of young women and young people of color employed in high-quality green jobs
- Number of female dislocated workers and dislocated workers of color employed in high-quality green jobs
- Percentage of overall high-quality, career-track green jobs held by women; people of color and low-income people
- Percentage of overall senior-level or management positions held by women; people of color and low-income people

### **6. Race and gender parity in contracting and green entrepreneurship**

- Number and percentage of women hired for high-quality green jobs
- Number and percentage of people of color hired for high-quality green jobs
- Number and percentage of low-income people hired for high-quality green jobs

### **7. Creation of healthy and safe workplaces and surrounding environment**

- Number of workplace injuries
- Types of community and environmental improvements made
- Types of improvements made in workplace health, safety and environment
- Compliance of green employers with occupational safety and health standards
- Training provided to people of color and women employed in green jobs on how to report violations of occupational safety and health standards

### **8. Maximization and equitable distribution of local hiring, contracting and high-quality, career-track green jobs**

- Number of local green businesses owned by people of color and women engaged in green-jobs initiative
- Funding opportunities, capital and technical assistance provided to local people of color and women to start up a green business
- Number of local people hired and percentage of green jobs filled by local hires
- Number of new high-quality, career-track green job positions filled by local people
- Number of local contracts for green jobs awarded to people of color and women

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