

**NYSERDA OREC RFP 22-1**

**Arthur Kill Terminal**

**SCIP Facility Investment Plan**

**Appendix 20**

**New York Jobs & Workforce Plan**

## **AKT New York Jobs and Workforce Plan**

**January 20, 2023**

### **H.1 New York Jobs and Workforce Plan Summary**

AKT is committed to the development of an offshore wind supply chain and workforce in New York and the United States. As part of AKT's efforts to develop Arthur Kill Terminal as essential physical infrastructure where offshore wind construction jobs can occur in New York, AKT has been engaging with labor and workforce development stakeholders for nearly 4.5 years to prepare for their participation in the Proposed Site Investment and Proposed Site Activity, as well as other opportunities in the emergent offshore wind sector.

In particular, as part of stakeholder engagement efforts in Staten Island, AKT has focused on identifying and executing on opportunities to promote and facilitate the education, employment, and advancement of Disadvantaged Community members who may benefit from participation in the Proposed Site Investment, Proposed Site Activity, or other aspects of the offshore wind supply chain. Following development and construction of the Facility, the vast majority of the employment and workforce development opportunities will be under the control of AKT's tenants, but AKT has and would continue to work to lay the groundwork for the participation of local workers and businesses in AKT and across the region's offshore wind endeavors.

This NY Jobs and Workforce Plan is a living document that will change as those opportunities arise and AKT's engagement with the project's many stakeholders matures and deepens.

#### **H.1.1 Primary Strategies for Workforce Development, Equity, and Inclusion**

AKT's New York Jobs and Workforce Plan (f/k/a Workforce Development, Equity and Inclusion Plan) includes the following primary strategies:

1. Ensure the use of best practices for Disadvantaged Community participation in project construction by working in partnership with union labor organizations, local community and environmental justice organizations and in the design and implementation of the project's Project Labor Agreement (PLA) for construction
2. Provide offshore wind and maritime-related educational opportunities to students, particularly those from disadvantaged communities
3. Support the efforts of workforce development organizations involved in the training of workers from disadvantaged communities by providing guidance and strategic support and information on the offshore wind sector and related educational opportunities.
4. Provide on-site facilities for work at height safety training and classroom spaces for lectures and other basic safety training at the on-site offices and visitor center.
5. Directly recruit personnel from Staten Island and potentially other NYC Disadvantaged Communities to participate in the management of the construction and operation of the project.
6. Require project construction contractors to meet certain MWDBE requirements in addition to relevant PLA requirements for disadvantaged community participation and apprenticeships and support MWDBE identification and training efforts to ensure maximum supply and

participation of MWDBE businesses in the construction of the project and other OSW supply chain businesses.

## **H.2 Labor Engagement**

AKT has engaged extensively with organized labor since the inception of the Project in 2018. AKT's CEO, Boone Davis, serves as the project's Labor Liaison, and has longstanding relationships with organized labor dating back to his time managing the construction of the Block Island Wind Farm, where he was involved in Project Labor Agreement (PLA) negotiation and implementation, and managed the employment of hundreds of union workers that participated in the staging and assembly port operations for the first offshore wind farm in the US (and the only one to date that has performed WTG staging and assembly activities in the United States). As a result of this experience, he is deeply familiar with the roles that various unions would have in the buildout of New York's offshore wind projects and AKT has developed strong relationships with virtually all of the trades relevant to AKT and other facets of offshore wind construction and maintenance.

## **H.3 Project Labor Agreement**

Most of the jobs involved in the Proposed Site Investment and Proposed Site Activity will be held by union workers and subject to Project Labor Agreements that provide for living wages, family sustaining jobs and benefits, and that support the equity objectives of the project.

AKT has received strong support from organized labor leaders who recognize the important role that AKT will play in creating onshore jobs for union workers in offshore wind and ensuring that New York has the necessary port infrastructure around which the supply chain will grow. AKT intends to memorialize its commitment to union labor by entering into memoranda of understanding between AKT and the New York Building Trades, United Brotherhood of Carpenters, and International Longshoremen's Association in anticipation of Project Labor Agreements (PLAs) pertaining to the project's construction. AKT's Stakeholder Engagement Plan includes many letters of support from organized labor leaders and unions evidencing the extensive engagement performed to date, and AKT's ongoing commitment to union labor.

It remains to be seen what efficiencies may be realized through the implementation of a PLA, as AKT has always planned to enter into a PLA and has not performed such an analysis.. AKT recognizes the potential for a variety of benefits of PLAs, such as potential project savings, schedule savings, shift expectations, labor harmony, increased quality and workmanship, training and apprenticeship opportunities, and avoidance of jurisdictional and other labor disputes.

Based on discussions with the New York Building Trades Council (NCTC) and New York Central Labor Council (CLC), AKT's construction PLA will contain provisions relating to apprenticeships and other training efforts that are designed to ensure opportunities and participation for marginalized and disadvantaged workers. Among other things, these provisions will tie to the work of the Apprenticeship Readiness Collective (ARC), a horizontal collective comprised of Direct Entry and Pre-Apprenticeship programs formally endorsed by the BCTC with a shared goal to exchange ideas and raise the profile of Direct Entry programs to be

leveraged by union affiliates of the BCTC. The ARC contributes to BCTC's efforts to increase diversity and inclusion in the unionized construction industry.

ARC affiliates include:

- The Edward J. Malloy Initiative for Construction Skills (CSKILLS)
  - Population served: NYC Public High School Seniors; Adult NYC Residents of Low-income ZIP Codes
  - [www.constructionskills.org](http://www.constructionskills.org)
- Nontraditional Employment for Women (NEW)
  - Population served: Women, Non-binary
  - [www.new-nyc.org](http://www.new-nyc.org)
- New York Helmets to Hardhats (H2H)
  - Population served: U.S. Military Veterans
  - [www.nyh2h.org](http://www.nyh2h.org)
- Pathways to Apprenticeship (P2A)
  - Population served: Low-income; Justice-involved
  - [www.p2atrades.org](http://www.p2atrades.org)

In addition to organized labor, AKT will continue to engage with environmental justice and community organizations working to improve the effectiveness of Direct Entry programs and participation of disadvantaged community members in the various trades relevant to the offshore wind industry. The outcome of these engagements will be Project Labor Agreements that incorporate best practices for diversity and inclusion.

## **H.4 Industry Wide Training and Education**

### **H.4.1 Industry Wide Efforts**

AKT is committed to leading and supporting workforce development efforts that help prepare a diverse, equitable, and prepared workforce. Recognizing the many efforts that are underway in the offshore wind sector by various public and private industry participants and stakeholders AKT will work with and support a variety of organizations providing relevant educational and training opportunities to members of disadvantaged communities.

Many institutions have already been identified or are already performing key roles ensuring that the regional offshore wind supply chain is served by a prepared and equitable workforce. In fact, NYSERDA estimates that \$100m has already been committed to various New York offshore wind workforce development and equity initiatives:

Figure 1 - NY OSW Workforce Development Funding Sources & Uses

New York State	Offshore Wind Training Institute (OWTI) \$20M NYSERDA \$10M SUNY Stony Brook and Farmingdale \$10M	NYSERDA – Environmental Justice, Labor, CBOs, Supply Chain (HVCC Welding, LAGCC Wind Techs)
	NYSERDA Workforce ~\$15M	SUNY - Exclusive to SUNY institute programs
	CUNY \$20M: \$10M DOB   \$10M NYC EDC	Clean Energy Internships PON 4000 ; Climate Justice Fellowship PON 4772; OJT Training PON 3982
Federal	SUNY Maritime \$795,000	GWO Training Center Bronx, NYC Campus
Private Sector	Sunrise Wind (Orsted/Eversource) \$1M	Upper Hudson Offshore Wind Workforce Development Fund Advance Component Manufacturing
	Sunrise Wind (Orsted/Eversource) \$10M	National Offshore Wind Training Center (NOWTC) in Suffolk County Focus on GWO
	Sunrise Wind (Orsted/Eversource) \$5M	Stony Brook University Advance Energy and Research Technology Center (AERTC)
	Empire Wind 1 (Equinor/BP) \$5M	Community Workforce Benefit Fund Just access to workforce development and equity
	Empire Wind 2/Beacon Wind (Equinor/BP) \$47M	Community Benefits + Workforce Development Split Between 2 Projects; More Info to Come
	ORECRFP22-1 Future Opportunity	Community Engagement Workforce Development Technology & Innovation Acceleration

Over \$100 Million Dollars of Funding

Training New York's Offshore Wind Workforce

AKT has already engaged with many of these organizations and is committed to providing support and information to these programs to ensure that both technical training and equity objectives are achieved.

These organizations include:

- Career & Technical Education Schools
  - The New York Harbor School
- Community Colleges and Public Universities
  - SUNY Maritime College – The Center of Excellence for Offshore Energy
  - SUNY Farmingdale State College - New York Offshore Wind Training Institute
  - Stony Brook University – New York Offshore Wind Training Institute
  - Suffolk County Community College – Offshore Wind Training Center
  - CUNY Kingsborough Community College
  - CUNY College of Staten Island
  - Hudson Valley Community College
  - LaGuardia Community College
- Labor Organizations
  - The Building and Construction Trades Council of Greater New York (and their affiliates)
  - The New York City Central Labor Council
  - United Brotherhood of Carpenters and Joiners of America (UBC)
  - International Longshoreman’s Association (ILA)
- Job Placement Programs
  - NYC Workforce 1
- Non-Government Advocacy Organizations
  - The New York City Employment & Training Coalition
- Training Content Providers

- NYSERDA's Offshore Wind Youth Action Program
- Global Wind Organization (GWO)

#### **H.4.2 Targeted Educational Efforts**

AKT is already actively engaging with local educational institutions to facilitate opportunities for students particularly from disadvantaged communities. AKT's management team frequently participates in public and private educational events such as webinars and lectures to educate students at various levels on the offshore wind industry and the myriad disciplines working in that industry. Some of the key local educational institutions that AKT has established relationships with to support with offshore wind-related programming are:

- The New York Harbor School
- CUNY College of Staten Island

As the project progresses, AKT will continue to engage with educational institutions, particularly those with shared objectives for diversity and inclusion, to foster a broad and effective transfer of knowledge to the next generation of the offshore wind workforce.

#### **H.4.3 On Site Training**

At AKT, workers will obtain hands on experience performing OSW component rigging, lifting, handling, assembly, and pre-commissioning activities without requiring offshore-specific construction expertise and training. Some on-site experiences performing various staging and assembly activities will be unique in the region (as no other ports can support jack-up vessels or in-port vertical assembly) and all on-site activities will support the preparation of workers to perform offshore wind construction and maintenance, ensuring that New York workers are prepared for and able to maintain safe working conditions offshore.

AKT's tenant office and warehouse building will feature training ladders and platforms for workers (or potential workers) to obtain Work At Height (WAH) safety training. Both the tenant office and owner office will have sufficient space for lectures and training courses. AKT is currently in the process of determining which entities, if any, it will partner with for providing on-site training opportunities such as WAH, OSHA-30, first aid, fire safety, and other general safety training or offshore wind-related programs. It is quite likely that AKT's tenants will be require such services for its workforce and may assume responsibility for their execution. AKT is also exploring the potential use of virtual reality modules to support on-site training activities that are specific to offshore wind construction and port operations.

### **H.5 Just Transition**

#### **H.5.1 Background on DAC Identification and Objectives**

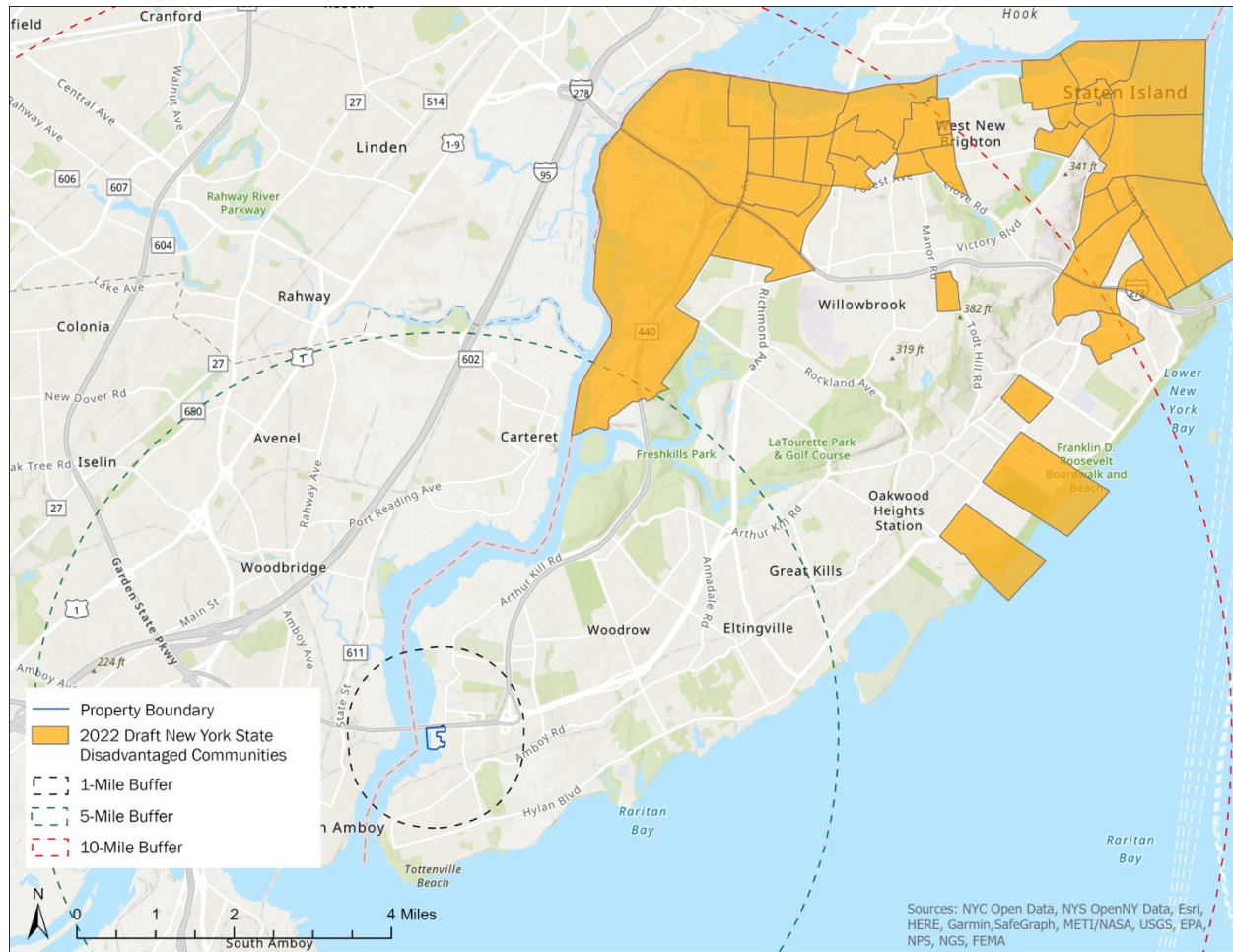
The Climate Leadership and Community Protection Act (Climate Act) requires State agencies, authorities, and entities to direct funding in a manner designed to achieve a goal for disadvantaged communities to receive 40% of overall benefits of spending on clean energy and energy efficiency programs. The Climate Act directs the Climate Justice Working Group (CJWG) to establish criteria for defining disadvantaged communities that bear the burdens of

negative public health effects, environmental pollution, impacts of climate change, and possess certain socioeconomic criteria, or comprise high-concentrations of low- and moderate- income households. Pursuant to the Climate Act, disadvantaged communities have been identified based on preliminary criteria at the census tract level and based on geographic, public health, environmental hazard, and socioeconomic criteria, which includes:

1. Areas burdened by cumulative environmental pollution and other hazards that can lead to negative public health effects;
2. Areas with concentrations of people that are of low income, high unemployment, high rent burden, low levels of home ownership, low levels of educational attainment, or members of groups that have historically experienced discrimination based on race or ethnicity; and
3. Areas vulnerable to the impacts of climate change.

On December 13, 2021, the CJWG voted to release the draft disadvantaged communities (DACs) criteria for public comment, in addition to an interactive map and a list of DACs statewide. The following map (Figure 1) depicts the DACs identified for Staten Island based on the draft criteria.

Figure 2 - New York Climate Justice Working Group Draft 2022 Disadvantaged Communities in Staten Island

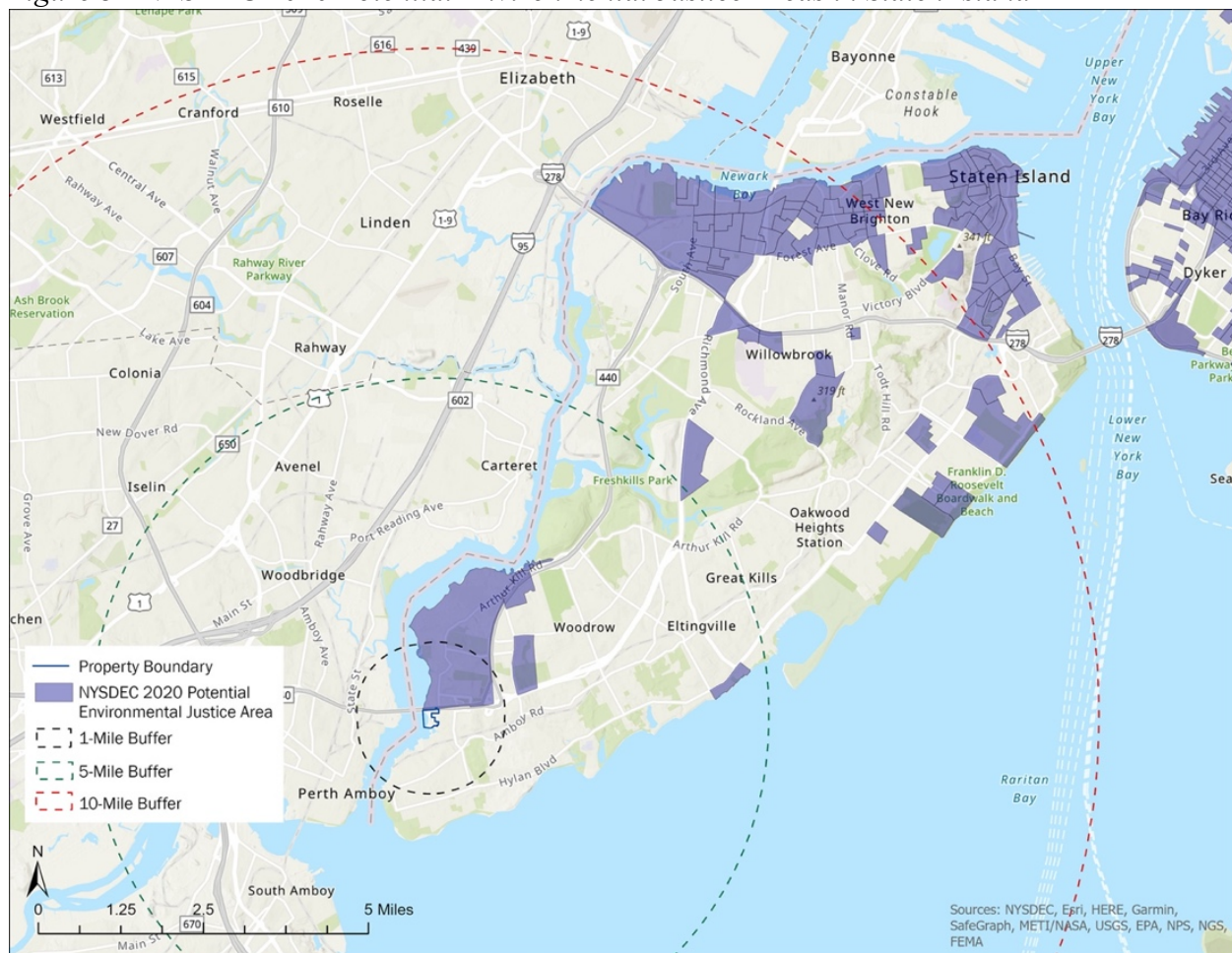


Under a separate process conducted prior to the Climate Justice Working Group’s establishment of criteria for and identification of DACs in New York, New York State identified Potential Environmental Justice Areas (PEJAs) as U.S. Census block groups of 250 to 500 households each that, in the Census, had populations that met or exceeded at least one of the following statistical thresholds:

1. At least 52.42% of the population in an urban area reported themselves to be members of minority groups; or
2. At least 26.28% of the population in a rural area reported themselves to be members of minority groups; or
3. At least 22.82% of the population in an urban or rural area had household incomes below the federal poverty level.



Figure 3 - NYSDEC 2020 Potential Environmental Justice Areas in Staten Island



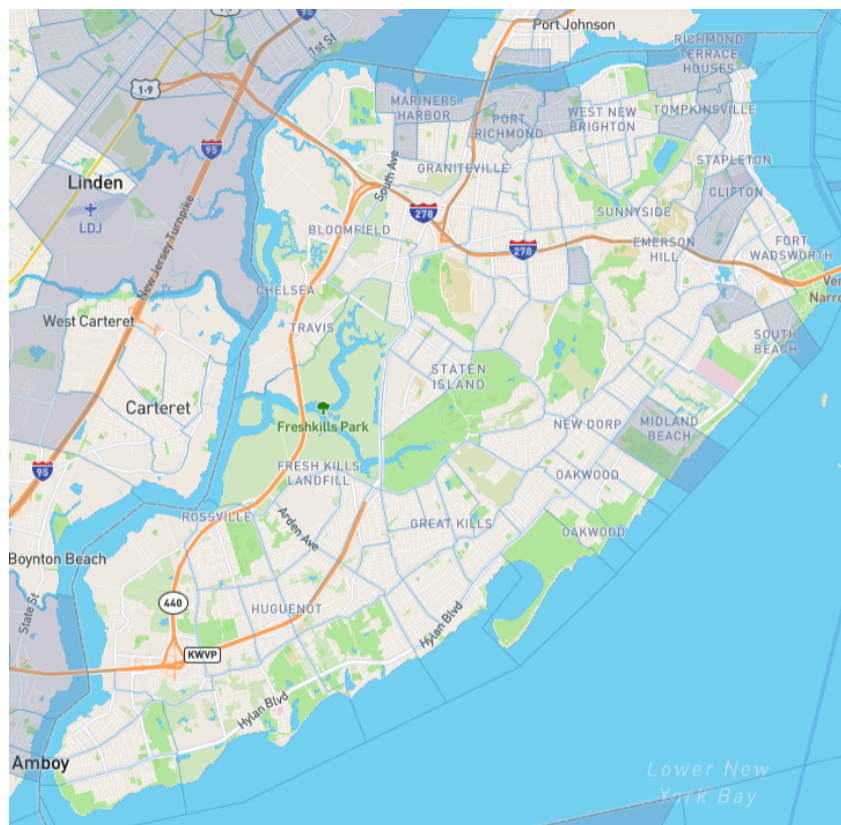
On January 27, 2021, President Biden signed Executive Order (EO) 14008, *Tackling the Climate Crisis at Home and Abroad*, creating the government-wide Justice40 Initiative, a whole-of-government effort to ensure that Federal agencies work with states and local communities to make good on President Biden’s promise to deliver to disadvantaged communities at least 40 percent of the overall benefits from Federal investments in climate and clean energy.

On July 20, 2021, the Office of Management and Budget (OMB) released *Interim Implementation Guidance for the Justice40 Initiative (M-21-28)*, which has guided the Department’s work on Justice40 along with relevant statutory authorities.

Public feedback is being solicited for a new tool that was recently released by the White House Council on Environmental Quality (CEQ). The Climate and Economic Justice Screening Tool (CEJST) aims to help Federal agencies identify DACs that are marginalized, underserved and overburdened by pollution as part of the Justice40 Initiative. The draft screening tool is currently subject to public feedback, and it is understood that the U.S. Department of Transportation (USDOT) intends to use this tool in its implementation of the Justice40 initiative after it is released out of beta.

The following map (Figure 3) provides a screenshot of CEJST identified DACs in Staten Island as of March 2022:

*Figure 4 – Draft Climate and Economic Justice Screening Tool Results for Staten Island (March 2022)*



While these different approaches to the identification of DACs and PEJAs produce varying results, what they all well illustrate is that there are significant DACs and PEJAs on Staten Island. AKT’s NY Jobs and Workforce Plan treats all of the areas identified in these studies as deserving of attention in the undertakings described in this Plan, including education, training, employment, and subcontracting.

As described in the SCIP Facility narrative, AKT has performed a detailed analysis that overlays DACs with the locations of local Staten Island businesses that meet M/W/DBE & SDVOB qualification criteria to assist in ensuring that subcontracting opportunities in these areas are realized. AKT has also identified potential local childcare, safety training, wraparound, and family service providers who can support workers, students and trainees in disadvantaged communities in their transition to various roles within the offshore wind industry.

## H.6 Job Commitments

See SCIP Data form and narrative for more information on job projections and levels of commitments.

Most of the employment opportunities created by the construction and operation of AKT will be realized through other companies, such as the project's construction contractor and subcontractors, and AKT's tenants and their subcontractors. As a result, AKT's efforts to advance certain financial equity and inclusion objectives must be pursued through tenants and subcontractors. However, AKT will ensure that its contracts for construction subcontracting is consistent with the commitments and efforts described in this plan, and directly hire a small group of individuals to assist with construction management (5) and later site management (3) during operations. These direct employment opportunities will be prioritized for local residents of disadvantaged communities.

As part of the budgeting and planning process for construction, AKT's Owner's Representative, TMS Waterfront (TMS), has evaluated the trade labor and goods and services requirements of each work package to identify opportunities for M/W/DBE & SDVOB involvement and the potential availability of M/W/DBE & SDVOB suppliers in the region. TMS maintains a M/W/DBE & SDVOB database using various resources such as the NYSERDA OSW supply chain registry, Small Business Administration (SBA) Small Business Source System (SBSS) database, Staten Island Chamber of Commerce and Staten Island Economic Development Corporation (SIEDC), and local construction industry, and a project-specific database has already been developed that overlays DACs with the locations of local Staten Island businesses that meet M/W/DBE & SDVOB qualification criteria to assist in ensuring that subcontracting opportunities in these areas are realized.

TMS was also contracted by the New York City Economic Development Corporation (NYCEDC) to provide training and technical assistance to local M/W/DBE & SDVOB companies interested in learning more about and qualifying for offshore wind supply chain opportunities. This work, which will be supported by AKT, provides training and technical assistance in accessing certifications, specialty training, and resources specific to working in waterfront construction. The aim of this program is to help M/W/DBEs & SDVOBs grow their business and expand workforce capacity to ensure in-house expertise in the offshore wind sector. AKT will support TMS by providing information for this effort and will leverage the relationships and findings of this work to ensure maximum participation of M/W/DBE & SDVOB suppliers in AKT construction and operations.

TMS previously performed a detailed analysis of potential M/W/DBE & SDVOB subcontracting opportunities for the project's construction phase, which found that no more than 25% of the project's construction content can be performed by M/W/DBEs & SDVOBs today. Building upon the M/W/DBE & SDVOB goals and achievements of similar large marine construction projects completed in the past 10+ years in the NY Harbor area, AKT will employ its best efforts to realize 15-25% M/W/DBE & SDVOB participation in the construction contract value (apart from ineligible contract costs such as insurance and bonding) and hopes to increase the supply of suitable M/W/DBEs & SDVOBs capable of supporting construction by actively supporting TMS's work for NYCEDC in this area.

## AKT NY Jobs and Workforce Plan

Following construction, AKT will continue to prioritize subcontracting of local M/W/DBE & SDVOB suppliers and hiring of workers from Disadvantaged Communities for Owner operations and maintenance work at the SCIP Facility.