



*A bold voice for transportation workers*

January 19, 2022

Ms. Nuria Fernandez  
Administrator  
Federal Transit Administration  
1200 New Jersey Avenue, SE  
Washington, DC 20590

Dear Administrator Fernandez,

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I urge you to ensure that the transformative investments in Zero-Emission Buses (ZEBs) included in the Infrastructure Investment and Jobs Act (IIJA) promote good union jobs among the incumbent and future workforces who will be tasked with maintaining the next generation of transit vehicles.

As you know, the IIJA provides \$5.625 billion for the Low or No Emission Program, a massive increase over prior authorizations that will undoubtedly transform our primarily diesel transit bus fleets across the country to cleaner technologies. But that transition comes with a price for workers—unless a plan is in place to manage the transition. Significant workforce challenges that already exist in the public transportation sector are only compounded by new skills gaps, training needs, and serious safety concerns as we integrate vehicles that utilize new technologies, such as battery-electric buses. Our broader concerns about this transition and recommendations for a worker-focused transition are detailed in the [Joint-Labor Principles for Transportation Electrification](#), which bring together a diverse coalition of unions whose members will be on the front lines of this transition across the supply chain.

We know that the Department of Transportation (DOT) shares our concerns about the potential for new technology to sideline good union jobs. This was made evident in the recent publication of the Departmental Innovation Principles, which make clear that “the Department will empower workers and expand access to skills, training, and the choice of a union.” Critical to this discussion

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Greg Regan, President / Shari Semelsberger, Secretary-Treasurer



is the departmental policy that workers “will have a seat at the table in shaping innovation.” We applaud you, Secretary Buttigieg, and the rest of the DOT for this bold leadership and recognition that the wide-scale adoption of new technologies can only be done in a way that brings workers’ voices into the process and protects good union jobs when the employees are integral to the shape of that transition.

Congress indicated that it believed this approach to be the correct path specifically for the Low or No Emission Program. Critically, the IIJA took two important steps to address the needs of workers and empower their development in the transition to electric buses. First, transit agencies that are using federal funds to transition to zero-emission vehicles must develop a fleet transition plan that identifies skill gaps, and training and retraining needs of the incumbent workforce to operate and maintain zero-emission vehicles and related infrastructure and how they will avoid the displacement of the incumbent workforce. Second, and most importantly for implementing the new program in a way that prioritizes workers, the IIJA requires that 5 percent of grants related to zero-emission vehicles be used by grant recipients to fund workforce development training needs identified in the above-mentioned transition plan. This will be the single largest investment in workforce training for frontline transit workers in the history of the federally supported transit program. But the implementation of this requirement will make the difference between whether or not we preserve and grow good union jobs to maintain transit systems of the future, or whether we move down a path of encouraging low-road employment and maintenance work in this field.

For that reason, we strongly urge you to consider the following recommendations from transportation labor with regard to implementing the statutory workforce requirements within the IIJA.

### **Transportation Labor’s Recommendations to Ensure a Clean Transit Future Means Good Union Jobs**

#### *Ensure Worker Voice in Procurement of High-Quality Workforce Development Training*

To ensure a successful transition to ZEBs that also guarantees good union jobs, transit agencies must prioritize the procurement of high-quality workforce development training that truly meets the well-defined training needs in this industry. Achieving this objective will not be possible, however, if representatives of the maintenance and operator workforce do not have a direct and equal voice in the design and execution of these training programs.

To ensure that the requirements of the IIJA meet both the needs of transit agencies and workers, the Notice of Funding Opportunity (NOFO) must require that transit agencies work in cooperation with frontline workers, the labor organizations elected to represent them, and qualified organizations to ensure that grant applicants are proposing high-quality training, as defined by mutually agreed upon criteria. We strongly recommend the FTA lean on its recently created Transit Workforce Center (TWC). The FTA set up the TWC to meet the needs of the training and advancement needs of the frontline workforce; it is the FTA’s best tool for developing,

coordinating, and disseminating best practices in this field. Furthermore, the TWC is operated by the International Transportation Learning Center (ITLC), a highly-regarded nonprofit organization with experience in joint labor-management training programs, including the design and implementation of training consortiums. The TWC can assist agencies to form committees with representatives from among its frontline workers that will provide recommendations for the type and quantity of training needed and review training plans, requests for proposals, and subsequent proposals received for the procurement of training.

#### *Labor Must Co-Certify Waivers of Workforce Training Requirements*

The updated Low or No Emission Program in the IIJA allows transit agencies to self-certify that they need less than, or none of, the 5% set aside for workforce development training in each grant. The DOT must have a process for the workforce through their elected union representatives to object when this happens in order to ensure this requirement is enforced.

While there may be several effective ways to implement this requirement, it is critical that the end result be co-certification of the waiver request by the workers most directly impacted by these procurements. Nobody is better equipped to recognize outstanding training needs than representatives of the maintenance and operator workforce, and their participation must be formally integrated into this process.

#### *Maximize Value and Efficiency of Training by Establishing a ZEB Training Consortium*

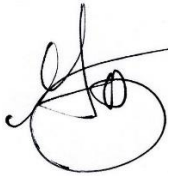
Given the number of transit agencies across the country and the shared need to train their workforce to maintain and repair ZEBs, we believe the creation of a national consortium would serve the training needs of the transit agencies by, among many benefits, allowing for the development of a national suite of training materials while avoiding duplication of efforts. Consistent with the statutory requirements of Section 30018, which makes registered apprenticeships and other labor-management training programs an eligible use of funds for carrying out workforce training activities, the FTA should specifically make eligible activities to be carried out by a "National Transit Frontline Workforce Training Consortium for Zero Emission Bus Training." This ZEB Training Consortium could easily, expeditiously, and most appropriately be designed, implemented, and coordinated by the above-mentioned TWC.

In addition to establishing this consortium and making its activities an eligible use of funds, we strongly encourage the DOT to provide immediate resources for this purpose using available Section 5314 funding so that they will be prepared on day one to begin working with transit agencies across the country.

Transportation labor understands and supports the transition towards ZEBs to reduce transit systems' carbon footprint across the country, to create healthier communities, and to ensure that jobs of the future are good union jobs. But that will not happen on its own. It is critically important that the FTA implement the new statutory requirements of the IIJA so that federal policy truly

achieves those goals. We know you are committed to preserving and growing the same high-road jobs that American workers care so much about, and we look forward to continuing our work with you and the FTA to ensure the transition to ZEBs puts the needs of the frontline workforce front and center in that transition.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Regan', with a large, stylized flourish at the end.

Greg Regan  
President