

April 27, 2022

Karl Simon
Director, Transportation and Climate Division
Office of Transportation and Air Quality
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460

Re: Recommendations to promote high-quality jobs and a just transition through implementation of the Clean School Bus Program

Dear Director Simon:

The \$5 billion authorized for clean school buses under the Infrastructure Investment and Jobs Act has the potential to set the U.S. school bus industry on an entirely new path. However, the extent to which communities genuinely benefit from this investment will depend, in large part, on how the EPA implements this program. On the one hand, it could lead to significantly lower carbon emissions, cleaner air for our kids and communities, and the development of a high-road medium and heavy-duty electric vehicle sector in the United States. On the other, it could lead to stagnation in the industry, job losses, decreasing wages, and increased poverty and inequality. We are hopeful that, under your direction, the Agency will take all actions possible to ensure that the Clean School Bus Program improves “job opportunities for millions of Americans by focusing on high labor standards for these jobs, including prevailing wages and the free and fair chance to join a union.”¹

Collectively, our unions represent millions of active members, including hundreds of thousands of employees in the student transportation industry, electrical infrastructure installation, and school bus manufacturing. We know that you and the Biden Administration are committed to ensuring a transition to clean energy and transportation that centers the needs of workers and communities, as indicated in both the *Executive Order Implementing the Infrastructure Investment and Jobs Act* and the *Interim Implementation Guidance for the Justice40 Initiative*.² With the right policies in place, we believe that the investment in new school buses under the CSBP can

¹ “Executive Order 14052 of November 15, 2021, Implementation of the Infrastructure Investment and Jobs Act,” *Code of Federal Regulations*, title 3 (2021): 64335-64336.

² Shalanda D. Young, Brenda Mallory, and Gina McCarthy, “Interim Implementation Guidance for the Justice40 Initiative,” Memorandum for the heads of departments and agencies, July 20, 2021.

promote a high quality of life for school bus workers and create good, family-sustaining jobs into the future.

The following are our recommendations for implementation policies that will improve outcomes for all workers in the major sectors impacted by the CSBP. These descriptions are brief; as you prepare to launch this program, we will be available to provide detailed feedback and recommendations to ensure that the CSBP is successful and achieves the goals of the IIJA.

School bus drivers, mechanics, and attendants

The transition to electric school buses will provide much cleaner air and a healthier working environment for student transportation employees. At the same time, it poses a risk of significant disruption, including layoffs, outsourcing, and lower wages. Right now, the number one complaint in the school transportation industry is that school districts and private fleet operators are having a hard time recruiting and retaining skilled drivers and mechanics. Deploying new clean school buses, especially electric school buses, is a complicated endeavor that will have a much higher probability of success in fleets employing enough highly skilled, well-compensated workers who have the opportunity and resources to learn and adapt to the new technology. To establish a successful program, EPA should ensure that the workers at fleets serving eligible recipients have good workplace conditions, receive fair pay, and can upskill to meet new technological challenges. Our members include both public and private sector school bus workers, and we recommend the following measures to help make sure that the CSBP investments result in successful deployments and are beneficial to workers:

1. Applicants shall submit a Workforce Impact Assessment, on a form provided by the Agency, which shall be public information. This assessment shall include an estimated number of jobs at the applicant that would be lost, created, or changed as a result of their application; an evaluation of the skills gaps of the applicant's workforce and training needed to close those gaps; and a plan to retrain affected workers to ensure they can upskill and continue their work on new buses or equipment purchased through these grants. The assessment should also disclose the minimum wages for bus drivers, mechanics and technicians, and school bus attendants.
2. When procuring equipment, eligible recipients shall include specifications in the invitation for bids or request for proposals for the contractor selling the equipment to train the eligible recipient's existing workforce to maintain the equipment.

School bus manufacturing workers

The transition to electric vehicles has the potential for an enormous impact on workers in the U.S. vehicle manufacturing sector. A recent report from the Economic Policy Institute found that, without deliberate policies to develop the domestic EV supply chain, the transition will result in massive job losses; however, it also found that by tying

federal spending with incentives for high-road domestic production, the U.S. can improve the number and quality of vehicle jobs over time.³ The CSBP's \$5 billion for clean and electric school buses is a market-shaping investment that must be paired with good job creation policies.

Developing a domestic EV supply chain with good careers will not only benefit workers, it will also be instrumental to the success of the Clean School Bus Program. The entire school bus manufacturing sector, especially electric buses, has been plagued by supply chain shortages. Encouraging high-road manufacturing practices with good wages and working conditions will also help ensure that the school bus manufacturing companies and their suppliers are able to attract and retain the skilled talent they need to build buses and meet the demand created through this program. Given that the Clean School Bus Program was incorporated into the IIJA, which also includes the Build America, Buy America Act, we also urge you to follow the intent of those Congressionally-approved provisions, to the extent possible, to maximize domestic job creation.

Two of the three major school bus manufacturers in the U.S. are union and provide thousands of high-quality, family-sustaining jobs in Oklahoma and North Carolina. Both companies are hiring new workers and investing heavily in ESB technology.

In order to maximize the effectiveness and public benefits of the CSBP, we recommend that EPA enact policies that will reduce school bus prices, ensure high quality and reliability, and create good, U.S. jobs in the electric school bus manufacturing sector, including throughout the supply chain, as directed in the *Interim Guidance for the Justice40 Initiative* and the *Executive Order on the Implementation of the Infrastructure Investment and Jobs Act*.

In particular, we urge the EPA to adopt a U.S. Jobs Plan policy for its unprecedented investments in school buses. The U.S. Jobs Plan (USJP) is a policy tool that builds good jobs and equity into the public purchasing process and has been authorized by the U.S. Department of Transportation and implemented by the nation's largest transit agencies including LA Metro, the Chicago Transit Authority, the New York MTA, as well as Amtrak.⁴ In a USJP, Original Equipment Manufacturers (OEMs) make a set of public commitments to wage and benefit levels by employee classification, as well as the implementation of inclusive hiring practices. Manufacturers are encouraged or required to submit a USJP to the appropriate federal, state, or local government entity. The government entity scores commitments, and may use the score as a factor in bid evaluation or determinations of funding levels.⁵ Manufacturers will provide regular

³ Jim Barrett and Josh Bivens, *The stakes for workers in how policymakers manage the coming shift to all-electric vehicles* (Washington, D.C.: Economic Policy Institute, September 22, 2021), <https://files.epi.org/uploads/232751.pdf>.

⁴ U.S. Transportation Secretary Anthony Foxx to transportation stakeholders, February 18, 2016, https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/S10-160211-003_F.pdf.

⁵ Scoring may take into account the Bureau of Economic Analysis Regional Price Parity of the state, or metropolitan area if available, which includes the factory where the bus was manufactured.

reporting to demonstrate compliance with job quality and hiring commitments. USJP commitments, scores, and reporting should be made publicly accessible on a government website.

To incorporate the U.S. Jobs Plan, EPA can:

1. Require OEMs to certify vehicles as eligible for purchase using CSBP funds, which shall include the submission of a USJP. The certification will ensure vehicle quality, compliance with IIJA requirements, adequate training for dealers and eligible recipients, and the creation of high-quality U.S. jobs in the school bus manufacturing supply chain.
The certification process should include provisions for the minimum USJP score required for certification, reporting, public information, established periods when OEMs shall re-apply for certification, and decertification in the case of substantial non-compliance.
2. Encourage eligible recipients to use the USJP themselves when purchasing buses under the CSBP.

Electrical installation

The electrification of the nation's school bus fleet will require a significant investment in electrical infrastructure and could create between 10,000 and 25,000 jobs. As this infrastructure is installed, it will be crucial to ensure that it is completed in a safe and efficient manner and that the jobs created are high-quality jobs with opportunities for training and advancement. Improperly installed EV charging infrastructure poses risks to the safety of school bus workers, electrical workers, and first responders. Requiring training standards for the installation of electric vehicle supply equipment (EVSE) will ensure that it is installed to the proper OEM specifications, and will provide an opportunity for electrical workers to upgrade their skills.

For that reason, we recommend that the EPA require that for recipients of CSBP funding for electric school buses, the installation of EVSE be performed by electricians certified by the Electric Vehicle Infrastructure Training Program (EVITP). The EVITP is the nation's leading standard for preparing electricians to install EV charging equipment, and includes training on load calculations, National Electrical Code safety and fire protection standards for EVSE installation, and other topics that are specific to electrical infrastructure for EVs.

Requiring EVITP for school bus EVSE installations will help guarantee safety, high training standards, and timely and effective implementation of the CSBP.

Conclusion

With the right policies in place, we believe that the major investment in clean and zero-emission school buses authorized under the IIJA has the potential to create tens of thousands of good jobs. We look forward to working with you over the next couple months to think through and develop these ideas so that we can ensure a successful Clean School Bus Program that improves the quality of life of our children and helps secure a bright future for America's communities and workers.

Sincerely,

Willie Brown

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