



Transportation Trades Department, AFL-CIO

ENSURING A JUST TRANSITION TO CLEAN SCHOOL BUSES

The labor movement stands united in our support for good, middle-class jobs; policies that address climate change; and safe transportation that brings equitable benefits to communities across the country. Billions in federal investment across the Infrastructure Investment and Jobs Act (IIJA) and the Inflation Reduction Act (IRA) will help achieve that goal in school bus fleets across the country, but as with any federal investment, these dollars must come with conditions that maintain or create quality union jobs for American workers. As with any rapid technological change, electrification threatens to displace the manufacturing workers, drivers, and mechanics who have committed their livelihoods to supporting the country's education system. To meet our climate goals while ensuring good union jobs, the student transportation workforce must be front of mind as the federal government funds the deployment of electric school buses in communities across the country.

We call on the Environmental Protection Agency (EPA) to thoroughly address the impacts of a transition to cleaner buses on the incumbent workforce by considering the net changes in number of jobs and skills gaps that arise from transitioning to electric fleets; the EPA must have a plan to ensure that affected workers can upskill and continue in their current jobs.

The EPA's First Disbursement Fell Desperately Short, Undermining Union Jobs

The implementation of the EPA's school bus electrification programs plays a pivotal role in maintaining and creating good-paying, union jobs and incentivizing investments in domestic manufacturing. Unfortunately, in its first disbursement of Clean School Bus Program funds, the EPA fell short in ensuring that U.S. taxpayer dollars support union jobs. To live up to the Administration's promise to support good union jobs, while rebuilding our industrial base and reducing our carbon footprint, the EPA must:

- Enforce the requirement that rebate funds could not be used "to support or oppose union organizing, whether directly or as an offset of other funds";
- Comply with Build America, Buy America requirements for both rolling stock and EV charging;
- Require training for operators and mechanics, which is expected of public transit agencies that receive Low or No Emission Vehicle Program funding through the IIJA; and
- Empower the installers of charging infrastructure.

We remain committed to working with the EPA to develop stronger standards that support workers, communities and our environment and offer the below recommendations to achieve our shared goals.

Protecting Workers' Rights

Union membership helps ensure that workers share in the benefits of the economic growth they help generate through collective bargaining, higher wages, increased access to healthcare, and improved retirement security. As a whole, union members earn approximately 20 percent more than their nonunion counterparts, helping to increase social mobility and improving workers' economic outcomes.

While we are encouraged by the EPA's Request for Information for Original Equipment Manufacturers (OEMs) to disclose their labor practices for the newly designed Clean School Bus grant program, the EPA must ensure that the OEMs are providing accurate information.

We urge the EPA to promptly distribute the accurate disclosures to school districts, thereby allowing school districts to consider this information in their procurement decision-making for the grant program.

Further, we and our affiliated unions have asked the EPA to require applying OEMs to submit a U.S. Jobs Plan¹, which would detail the OEMs' commitments to good working conditions, benefits, and hiring practices, to include the free and fair choice to join a union.

By requiring a U.S. Jobs Plan, the EPA would ensure federal dollars are flowing to those OEMs that are committed to creating good jobs, retaining and training their workforce, and opening doors to people historically left out of the manufacturing sector.

Strengthening the U.S. School Bus Manufacturing Industry and Upstream Supply Chains

While the EPA granted a blanket waiver for applying the IJJA's Build America, Buy America (BABA) domestic preferences for EV chargers, the EPA has simply ignored the provisions as they relate to the purchase of the school buses themselves and has provided insufficient justification for this failure to comply with BABA. Congress clearly intended for BABA to apply broadly to all assisted infrastructure spending. This decision conflicts with many of the Administration's pronouncements – from an executive order² and OMB implementing guidance³ to remarks delivered by President Biden and Administration officials – that in no uncertain terms, declare Buy American the official policy of the U.S. government. These policies maximize the return on taxpayer dollars, ensuring they are used to foster resilient supply chains, supporting good jobs in less polluting factories.

The EPA's failure to apply the BABA provisions to the Clean School Bus Program is a tremendous missed opportunity to leverage these investments in the good, clean energy manufacturing jobs of the future.

¹ Also known as the U.S. Employment Plan. <https://jobstomoveamerica.org/resource/u-s-employment-plan-2/>

² Exec. Order No. 14005, 86 Fed. Reg. 7475 (Jan. 25, 2021)

³ OFFICE OF MGMT. & BUDGET, EXEC. OFFICE OF THE PRESIDENT, OMB MEMORANDUM M-22-11, MEMORANDUM FOR HEADS OF EXECUTIVE DEPARTMENTS AND AGENCIES (2022)

Keeping Drivers and Mechanics on the Job

School bus drivers face many challenges: low labor standards the lack of steady work, especially during COVID-induced virtual schooling; split shifts; the inherent supervisory duties when transporting school-age children; built-in periods of under- and unemployment during scheduled school breaks, when many school bus drivers are not eligible for unemployment benefits. Electrification could easily add range anxiety and unfamiliarity with new automotive features like regenerative braking to these challenges. The overwhelming majority of mechanics who service school buses do not currently maintain electric school buses, which require a different set of tools to safely maintain. This skills gap could drive student transportation providers to elect to seek maintenance services for their new buses elsewhere, instead of upskilling their maintenance workforce.

Given the high upfront costs of the new buses, without purposeful, worker-minded implementation, school bus electrification can add to and exacerbate these challenges for the operating and maintenance workforce, leaving many workers without a job. School districts and their student transportation providers, much like their public transit counterparts, must be required to invest in the training needs of their workers. Ignoring the skills needs of the incumbent workforce could easily lead to electrification devastating the already precarious student transportation industry and the students and families and educational system that rely on it.

The EPA should mirror standards already found in the IIJA that require public transit systems to use a portion of Federal Transit Administration (FTA) Low or No Emission Vehicle Program funding for workforce development and training, ensuring federal dollars go toward not only clean school buses and the related infrastructure but the working people who have been completing the essential work of building, operating, and maintaining school buses.

Empowering the Installers of Charging Infrastructure

Electrification of school buses will require the installation of electric vehicle supply equipment, which could create between 10,000 and 25,000 jobs. The journeyman electricians who will install and maintain this infrastructure must be properly skilled for their safety, as well as the safety of school bus employees and first responders. The Electric Vehicle Infrastructure Training Program (EVITP) – which was developed collaboratively with electric vehicle industry partners and stakeholders, including our affiliated union IBEW – provides comprehensive training to installers, from which specific personal protective equipment to use to how to complete load calculations.

We are encouraged by the EPA's requiring 2023 Clean School Bus Program grant recipients to guarantee workforce standards in accordance with those prescribed by the National Electric Vehicle Infrastructure (NEVI) Program, which include requiring electricians to hold an EVITP certification or have graduated or completed a registered apprenticeship program for electricians with charger-specific training.

However, we are very troubled that the EPA added an exception “in limited circumstances” for grantees that can show that there are “no electricians meeting [the] requirements available in their area, and that efforts to train local electricians to meet the requirements are not feasible.”

This language undermines the purpose of including workforce standards in the first place – to protect workers and the public from the serious safety hazards associated with untrained workers installing EV chargers. Furthermore, the EPA’s language does not reflect the reality, with over 20,000 IBEW electricians currently holding EVITP certification across all 50 states, and more taking the training every day.

We are concerned that the EPA’s language will be used by low-road employers looking to cut corners and use an underpaid, untrained, unqualified workforce. This will create serious, life-threatening safety risks in the schools and school bus depots where chargers are installed. The EPA should mirror the standards of the NEVI Program as drafted to ensure that EV charging infrastructure is installed safely by a properly trained workforce.

Continuing to Fight for the Student Transportation Workforce

As the EPA continues to disburse federal infrastructure funds to assist in the transition away from internal combustion engine school buses, we will continue to call to ensure that the working people who manufacture, operate, and maintain the country’s largest mass transportation fleet, as well as those who install the related charging infrastructure, are not left behind by decarbonization efforts. Unless the Administration heeds our calls, challenges in the student transportation industry are likely to continue to fester during this significant transition – to devastating effect for the student transportation workers, their families, and the communities and economies that rely on their labor.

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