

TOMPKINS COUNTY WORKFORCE DEVELOPMENT BOARD

December 15, 2020

8:30 A.M.

Zoom Platform

PRESENT: S. Pronti, A. Bishop, D. Burrows, J. Cometti, L. Dillon, B. Forrest, K. Franzese, K. Kersey, P. Levesque, C. Malcolm, J. Matteson, H. McDaniel, J. Sammons, K. Shanks-Booth, T. Tarshus, C. Whitmore

EXCUSED: A. Mohamed, A. Iles, K. Kephart, J. Lance, J. Tavares

EX-OFFICIO: A. Hendrix, J. Mouillesseaux

GUESTS: D. Mohlenoff, Tompkins Cortland Community College; C. Walters, TST BOCES; C. Harris, NYSDOL; D. Goodness, WDI; Jonathan Nicollet, TST BOCES; S. Culotta, Presenter; E. Pfeffer, Intern to Presenter;

STAFF: N. Branosky, D. Achilles, S. Alvord

CALL TO ORDER

Chairman Pronti called the meeting to order at 8:36 a.m.

BOARD ACTION ITEMS

APPROVAL OF MINUTES – September 22, 2020

It was moved by Mr. Levesque seconded by Mr. Sammons and unanimously adopted by voice vote of members present to approve the minutes of September 22, 2020 as written.

APPROVAL OF MINUTES – October 20, 2020

It was moved by Mr. Levesque seconded by Ms. Tarshus and unanimously adopted by voice vote of members present to approve the minutes of October 20, 2020 as written.

INDUSTRY BRIEFING: THE GREEN WORKFORCE REPORT

Ms. Culotta, Presenter for The Green Workforce Report for information and recommendations for Tompkins County. Presentation was sent out to Board members via email.

APPROVAL OF INCENTIVE POLICY

Ms. Shanks-Booth informed the Board member the purpose of the Incentive Policy: The purpose of this policy is to establish guidelines for the use of Workforce Innovation and Opportunity Act WIOA funds for incentives for youth participating in WIOA activities. We established this policy as a Board on Dec. 10, 2019 and need to revise the amount of award given for youth participation in work readiness workshops (i.e. soft skill, financial literacy, etc.) to line up with the increase in minimum wage (from \$11.80/hr. to \$12.50) on Dec. 31, 2020. The proposed change allows workshop attendance to be comparable to minimum wage and reflects the program changes the Office of Employment & Training is developing to make their workshops more robust and further incentivize participation. The proposed change is highlighted in the policy for review, changing the awarded amount from \$10/hr. to \$25 per 2hr workshop. An additional edit has been made requiring a copy of the “received

receipt with signature” to be given to the Board’s Administrative Coordinator, which is required for auditing purposes (note: this was always a requirement but was not explicitly written into the policy).

It was unanimously adopted by all Board members present to approve the Incentive Policy.

APPROVAL OF WORK EXPERIENCE POLICY

Ms. Shanks-Booth informed the Board member the purpose of the Work Experience Policy: The purpose of this policy is to define eligibility, assignment, documentation, duration, and salary for Work Experiences assigned to youth enrolled in the WIOA Youth Program. Work Experiences can be paid or unpaid and are assigned to help job-ready youth learn soft skills such as attendance, teamwork, initiative, etc., as well as job related skills they can use to progress towards their career goals. At least 20% of the program year’s Youth Fund (net of Admin. portion) must be spent in Youth Work Experience as set by WIOA Section 129 (c)(4). This policy gives the Office of Employment & Training staff guidance on assessing youth readiness for Work Experience, documenting the Work Experience, and creating a program that aligns to the youths identified career pathway(s).

It was unanimously adopted by all Board members present to approve the Work Experience Policy

APPROVAL OF SERVICE DELIVERY METHODS POLICY

Ms. Shanks-Booth informed the Board member the purpose of the Service Delivery Methods Policy: This policy was developed and approved by the WDB in May 2020 to allow for alternatives to service delivery when in-person is not able to be conducted. Methods allowed include over the phone, via video conferencing (i.e. Zoom), through email, through text or instant messenger options. The original policy requested staff to record transcripts of all conversations and print all email/text/messenger correspondence, to be kept in the participants paper file. This procedure is time consuming, requires a lot of printing and is also a concern re: confidentiality and privacy to record conversations in this method. The proposed update to this policy has removed this language, but still requires staff to thoroughly and objectively document each “meeting” in their case notes and on online database (OSOS), as staff have been instructed to do already.

It was unanimously adopted by all Board Members present to approve the Service Delivery methods Policy.

APPROVAL OF E-SIGNATURE POLICY

Ms. Shanks-Booth informed the Board member the purpose of the E-Signature Policy: This policy was also developed and approved by the WDB in May 2020 to allow for the collection of electronic signatures in the absence of in-person meetings and to reduce the amount of paper being shared hand-to-hand. In practice, it has been determined that not all customers can utilize or access the ADOBE e-signature program and have needed to provide hard signatures anyway. NYSDOL has since instructed operators that screen shots of legible signatures are sufficient, and this policy is updated to provide clarity to that guidance. (See highlighted section for changes.)

It was unanimously adopted by all Board Members present to approve the E-Signature Policy.

WDB DIRECTOR UPDATE

Ms. Branosky reported the unemployment will expire end of year and waiting to see what the next version of the stimulus package will be. ILR school at Cornell is moving forward with research and will present at a special meeting Tuesday, January 26, 2021.

COMMITTEE REPORTS

EXECUTIVE COMMITTEE

Mr. Pronti reported the Committee is focusing on the same discussions the full Workforce Board is having: reviewing unemployment rate for Tompkins County, ILR School research, and rise in COVID cases.

ONE STOP OPERATIONS COMMITTEE

Mr. Pronti reported the Committee is working on Re-Certification for the Career Center and waiting for the State to issue guidance on how this will work with the pandemic.

YOUTH OVERSIGHT COMMITTEE

Ms. Shanks-Booth reported the committee is meeting regularly and the success of the Summer Youth Employment Program. The Career Center managed with pandemic to serve 96 Youth employed, working 1300 hours, 32 active worksites and spending 75% of the funding that Tompkins County received this year.

GOVERNANCE AND MEMBERSHIP COMMITTEE

Mr. Burrows reported the committee is reaching out to Board members that will have expiring terms in June 2021 and asking members to remain on Board. The committee is reviewing attendance for the last fiscal year.

ADJOURNMENT

The meeting adjourned at 9:52 a.m.



NOVEMBER 2020

Green Workforce Report

Information and
recommendations for
Tompkins County

Collaboratively prepared by the Tompkins County Climate and Sustainable
Energy Advisory Board

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Executive Summary

Framing 'Green Jobs' to Meet the Climate Challenge

- Meeting ambitious climate goals that transition communities away from higher-paying fossil fuel work requires a meaningful guarantee of family-sustaining jobs for workers.
- Recommended definition of "green jobs": Green Jobs are jobs with family-sustaining wages and benefits, that are specifically aimed at reversing inequality and tackling the climate crisis by limiting greenhouse gas emissions through energy efficiency and clean energy production, as well as protecting the environment through waste and pollution minimization, natural resource conservation, and generation of public awareness of climate change.

Emissions Reduction Targets and Objectives

- In the latest version of Tompkins County's Energy Roadmap, the County prioritized reaching net-zero emissions in the shortest timeline possible.
- To meet this objective, the County will need skilled solar installers, construction workers, energy managers, and contractors to retrofit buildings for greater efficiency and electrification, and to create new local, clean energy resources.

Green Jobs Training

- Investment in workforce training through work readiness and apprenticeship programs is vital to ensure that local community members are ready and able to fill newly-created green jobs and promote economic development in the County.
- Workforce development programs must intentionally recruit from and maintain engagement with communities who face barriers to employment so that climate jobs deliver on their promise of offering job opportunities to disenfranchised communities.
- We recommend that the Legislature approve the creation of a Green Jobs Training and Diversity Council, tasked with designing a comprehensive green work readiness program to precede on-the-job training.

A Green Labor Policy for the IDA

- We recommend that the Legislature
 - Appoint a representative from the Building Trades Council to the TCIDA.
 - Work collaboratively with the TCIDA to reassess and adapt the Enhanced Energy Policy and base energy abatement policies in March 2021.
 - Recommend that the TCIDA implement a Local Labor Policy where 100% of all project employees are required to reside in Tompkins and contiguous counties, unless they request and qualify for a waiver
 - Recommend that the TCIDA require developers receiving tax abatements to incentivize participation in apprenticeship programs or contribute to a green jobs training fund to support the aforementioned green work readiness program
 - Recommend that the TCIDA also require developers with a total project cost over \$7 million to conduct feasibility studies on the labor cost savings and potential workforce benefits of the use of Project Labor Agreements.

Introduction

Tackling the climate crisis creates major opportunities for job creation. Transitioning to a carbon neutral economy will require massive efforts to “improve energy efficiency in buildings, lighting, and appliances,” “move from grid-supplied electricity supplied outside of Tompkins County to local renewable generation,” “move from gasoline-powered to electric cars and light trucks and reduce the amount of miles driven,” and “move from natural gas to heat pumps and biomass heating,” as outlined in the 2019 Tompkins County Energy Strategy.¹

Our current COVID-19 economy is both well-primed for and in desperate need of this rapid job creation. As of July 2020, the percentage of unemployed people in the workforce was 9.9%, compared to 2019 levels of 4.2%.² We will need to put people back to work at unprecedented rates in 2021 in order to return to the record-low unemployment levels of 2019. Now is the time to mobilize workers into well-paid, high quality jobs in climate mitigation sectors.

Importantly, these green jobs must seek to reverse economic inequality by providing family-sustaining wages and benefits, and prioritizing communities that face barriers to employment (formerly incarcerated people, veterans, Indigenous people, people of color, low-income people, LGBTQ+, women). The stakes for doing so are high. For example, almost three fourths of Black workers in Tompkins County make less than a living wage.³

Training and pre-apprenticeship programs should focus on these priority communities, as employers will need on-going support and education to reduce workplace biases that have long kept such communities out of the trades and construction industries. Hiring practices, interview styles, job qualifications, job training affordability and location accessibility, industry reputation, workplace culture, and the job experiences that influence retention all contribute to whether people of color and women are applying to or lasting in green jobs. We must work to make inclusion central to these workplace practices.

The growth of the green economy offers an opportunity to rectify these and other workplace inequities. It is critical we go beyond rhetoric to ensure disenfranchised communities most impacted by climate change actually reap the most benefits from a green transition.

This report is designed to share the findings of the Tompkins County Climate and Sustainable Energy Advisory board and recommend actionable next steps the County legislature can take to realize green workforce development in our area. Throughout the following pages, we refer to workforce development as an approach to economic development focused on workers rather than just businesses. In this approach, investment is made in an educated and skilled

¹ “Tompkins County Energy Strategy,” Tompkins County Planning Department, 2019, https://tompkinscountyny.gov/files2/planning/Energy-Strategy-adopted_08-06-19.pdf.

² US Bureau of Labor Statistics: national, state and metropolitan statistical area sources available as of September 1.

³ Research by Cornell ILR Buffalo, Ithaca Co-Labs, and Tompkins County Workers’ Center.

workforce, which in turn attracts business activity and investment, and draws workers to prioritized sectors.

Framing ‘Green Jobs’ to Meet the Climate Challenge

Creating green job opportunities will require strategy. We must garner participation from workers, employers, and the community to ensure that these jobs deliver on their promise to rapidly combat climate change, recover from our economic recession, and reverse structural inequalities. The approach we take to describe green jobs must excite these key stakeholders, and crucially must pay a living wage if they are to attract people into the workforce.

Many of the green jobs definitions the CaSE Board found in its research remain quite vague in scope. They list “benefiting the environment”⁴ or “decent jobs that contribute to preserve or restore the environment”⁵ as their main goals, instead of “specifically taking aim at tackling the climate crisis based on ambitious, science-based climate protection policy,” as authors Cha and Skinner suggest in their Cornell University ILR report, *Reversing Inequality, Combating Climate Change: A Climate Jobs Program for New York State*.⁶ Their report underscores certain shortcomings in the existing approach to green jobs creation:

“The U.S. has not succeeded in moving green economy jobs from “rhetoric to reality,” although job losses in fossil fuel sectors, particularly coal, are already occurring. The scale of renewable energy, building retrofits, public transit expansion and other aspects of a low-carbon economy remain marginal. [...] The overall lack of jobs in the green economy and the prevalence of non-union jobs in the limited existing green sectors, such as solar and residential retrofitting, have dampened enthusiasm for the long-promised “clean, green economy” among workers and labor organizations that are anxious to address the climate crisis and build a pro-worker, equitable green economy.”

This dampened enthusiasm must be considered when marketing and creating green jobs. If more green sector jobs were union jobs, higher wages and family-sustaining benefits would likely draw more workers, and minimize these feelings of ambivalence towards a transition away from higher-paying fossil fuel work. Investing in workers is critical to realizing our ambitious climate goals and truly growing the green workforce.

In light of this, we suggest the following definition for green jobs to guide the County’s workforce efforts in combating climate change:

⁴ “Measuring Green Jobs,” U.S. Bureau of Labor Statistics, 2013, <https://www.bls.gov/green/#definition>.

⁵ “What is a green job?,” International Labor Organization, 2016, https://www.ilo.org/global/topics/green-jobs/news/WCMS_220248/lang--en/index.htm.

⁶ Mijin Cha and Lara Skinner, *Reversing Inequality, Combating Climate Change: A Climate Jobs Program for New York State*, The Worker Institute, ILR School. 2017, <https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1064&context=reports>.

Green Jobs are jobs with family-sustaining wages and benefits, that are specifically aimed at reversing inequality and tackling the climate crisis by limiting greenhouse gas emissions through energy efficiency and clean energy production, as well as protecting the environment through waste and pollution minimization, natural resource conservation, and generation of public awareness of climate change.

Although this definition includes a wide variety of industries and sectors, we are limiting the analysis in this paper to jobs in the buildings, energy, and transportation sectors, since these are our primary source of greenhouse gases in NYS. Subsequent analysis may include other industries of relevance to Tompkins County, including high tech and manufacturing along with agriculture and forestry which can actively sequester carbon.

Emissions Reduction Targets and Objectives

Tompkins County has published multiple reports and documents to outline greenhouse gas emission reduction objectives and the necessary actions to achieve those changes. All these actions require a skilled workforce, and come with clear opportunities to create 'green jobs' as we define them here.

In 2016, Tompkins County produced its Energy Roadmap to describe scenarios by which the county can achieve an 80% greenhouse gas reduction goal by 2050, against a 2008 baseline of GHG emission levels, while meeting its growing energy needs.⁷ The Roadmap was accompanied by Tompkins County's Energy Strategy document, last updated in 2019. In the latest revision, the Energy Strategy goes beyond the 80% reduction goal to refocus the County on net-zero emissions in the shortest timeline possible.⁸ The County has outlined achieving these goals around four objectives applicable to both internal County operations and the community:

- 1. Improving energy efficiency in buildings, lighting and appliances.*
- 2. Moving from grid-supplied electricity generated outside of Tompkins County to local renewable generation.*
- 3. Moving from natural gas to heat pumps and biomass heating.*
- 4. Moving from gasoline-powered to electric cars and light trucks and reducing the number of miles driven.*

To meet these objectives, the county will need skilled solar installers, construction workers, energy managers, and contractors to retrofit buildings for greater efficiency and electrification, and to create new local, clean energy resources. Even the move to electric vehicles will require

⁷ *Tompkins County Energy Roadmap: Evaluating Our Energy Resources*, Tompkins County Planning Department, 2016, <https://tompkinscountyny.gov/files2/planning/Energy-greenhouse/Energy%20Roadmap%20All.pdf>.

⁸ "Tompkins County Energy Strategy," 2019.

a skilled workforce to site and install the infrastructure necessary to make the electric vehicle value proposition work for both personal and commercial applications.

Below we detail recommendations for developing a successful green workforce program in Tompkins County. Each recommendation either develops a wider pipeline to these jobs, improves the quality and desirability of green jobs or enables the development of more data-gathering to support green workforce development.

Green Jobs Training

Building a strong climate workforce will require investment and immediate action to train new and existing workers and employers. We will need to develop new and expand existing work readiness and apprenticeship programs to meet the evolving needs of industry in the face of green transition.

Green work readiness programs refer to any job training program that exists apart from on-the-job or apprenticeship training. Work readiness programs can be broader in scope or designed more specifically as pre-apprenticeships if they “prepare individuals to enter and succeed in a Registered Apprenticeship program (RAP),” according to the Department of Labor.⁹

For green jobs that do not currently have local associated apprenticeship programs, designing work readiness programs as pre-apprenticeships is a common sense approach. More explicitly, registering a pre-apprenticeship program for “Direct Entry” through the Department of Labor would allow priority populations to gain access to an interview at an existing apprenticeship. Indeed the Direct Entry program works by guaranteeing such interviews to participants of approved pre-apprenticeships.¹⁰ This incentivizes the development of those associated apprenticeships and encourages focus on the bigger picture knowledge critical to recruitment and retention, instead of workplace specifics which can be learned on-the-job.

In the green clean energy and building sectors, work readiness programs can increase environmental literacy, include GED training components, educate on workforce safety procedures, teach basic workplace knowledge, and serve as an outlet for recruiting and preparing underrepresented groups to green jobs. Further, the outcomes of developing such job training programs are critical to meeting our greenhouse gas emission targets, by enabling job growth in small-scale clean energy retrofit, and allowing larger developers to easily hire locally.

⁹ “Explore Pre-Apprenticeship,” Apprenticeship.gov, accessed November 9, 2020, <https://www.apprenticeship.gov/employers/explore-pre-apprenticeship>.

¹⁰ “Direct Entry,” New York State Department of Labor, accessed November 9, 2020, <https://www.labor.ny.gov/apprenticeship/direct-entry.shtm>.

Work readiness and apprenticeship programs must also intentionally recruit from and maintain engagement with communities who face barriers to employment (those recently incarcerated, people of color, low-income and LGBTQ+ people, and women), such that climate jobs deliver on their promise of offering job opportunities to disenfranchised communities. To do so, these programs must employ a variety of recruitment tactics, including partnership with existing community organizations, the use of online marketing, and knocking on doors in priority communities. The programs must also develop affordable and accessible ways for people to take advantage of them, in order to overcome barriers to participation like costs and logistics (transportation, childcare, required tools).

The Need for a Green Jobs Training Hub in Tompkins County: Two Local Case Studies

Interviews with community members, labor organizations, contractors, and developers have highlighted a need in Tompkins County to both increase the pool of trained local workers in the clean energy and building sectors, and create a centralized hub to facilitate that job training work. *There are currently no established green work readiness programs expected to endure long term in Tompkins County.*

At the publication of this report, Cornell Cooperative Extension is currently piloting their Energy Warriors green work readiness program to a broad spectrum of students who face barriers to employment, are underemployed or re-entering from prison. After five years of focusing a similar version of the program exclusively on individuals re-entering from prison, this pilot program is geared towards a broader spectrum of disenfranchised students.

The pilot's curriculum is modeled on the "Roots of Success" training curriculum, which covers environmental literacy and work readiness education to proceed on-the-job training.¹¹ Specifically focused on building insulation and weatherization techniques, the pilot also draws influence from the U.S. Department of Education EERE Weatherization training.¹² Its focus is to prepare students for jobs in weatherization, construction, real estate management (maintaining and building multifamily housing), energy auditing, and home inspection, and offers both classroom learning and on-the-job training through Finger lakes ReUse. Guest speakers from these industries and other green fields have also presented in many of the class sessions.

The Energy Warrior pilot's financing structure highlights the need for a central hub or institution to both host existing pilot programs like this one, and create new opportunities in other green sectors. Currently, the Energy Warriors program is being financed from 3 sources: an Ithaca Urban Renewal Agency (IURA) grant, the ReUse Reset Apprenticeship program (which supports the on-the-job training component,) and Cornell Cooperative Extension, who employs Program Leader Aloja Airewele. Both the IURA grant and ReUse Reset Apprenticeship ensures students

¹¹ "The Curriculum," Roots of Success, accessed November, 9, 2020, <https://rootsofsuccess.org/curriculum/>.

¹² "Cornell Cooperative Extension of Tompkins County Energy Warriors Program Guide 1-10", 2020, see "References/Resources" of Weeks 1-8.

are paid living wages for their participation in the program. However this pilot's financing structure does not create long-term financial stability. Indeed, if such a program were run through a centralized institution, it would qualify students for Tompkins Workforce tuition stipends, and might ultimately be able to gain financial support through tuition fees instead of short-lived grants.

A second local case study illustrates a gap in the reach of existing green work readiness programs. The Pre-Construction Preparedness Course ran from 2006 to 2016 and was aimed specifically at recruiting minority populations and women to the skilled trades. The program lasted 10 weeks for two full days a week, and took place in various trade union training centers, requiring students to be bused out of the County for almost all sessions. It was funded through a Federal Mediation and Conciliation Services grant, and ended when that grant expired. Through the tenure of the program, minority students and women made up 40% and 18% of the graduated classes, respectively. The course was a project of the Skilled Trades Diversity Council, a committee consisting of Cornell University, the Building Trades Council, Workforce Development, Tompkins County Public Works, TST BOCES, and the no longer existing TC3 Tech Prep.

While it is unfortunate that such a program no longer exists, this workforce gap underscores the need for a new job training program, similarly designed to recruit priority populations facing barriers to employment to the skilled trades, with an explicit focus on mitigating climate change. We can take insights from the successes of that Pre-Construction program and the current pilot Energy Warriors pilot program, in creating a sustainable pathway to green jobs training.

Developing a Green Work Readiness Program with TC3 and the Building Trades Council

With these models in mind, the CaSE board recommends the creation of the "Green Jobs Training and Diversity Council" in order to explore developing a comprehensive green work readiness program at TC3 to precede on-the-job training. Such a program could serve to expand the pipeline of applicants to green jobs, act as a support hub for new green workers, help the County achieve its emissions reduction goals, and help promote enrollment in TC3. It could support new and existing training courses focused on environmental literacy, safety protocols, and industry specific knowledge related to various career pathways. It could also enable the development of employer and contractor support programs. Locating such a training program in a large institution like TC3 could ultimately help new and existing programs generate long term financial stability.

Any green work readiness program of this scale and ambition will require buy-in from a variety of stakeholders, especially TC3 and the Building Trades Council. It thus makes sense to form a Green Jobs Training and Diversity Council to facilitate the creation of this program before a precise vision is determined.

The main tasks of such a council would include:

- Evaluating the feasibility of practicality and interested of TC3 and the Building Trades Council in leading this program
- Appointing an initial grant writer to secure NYSERDA funding to support the program
- Developing a program structure (microdentials, degree program structures are possibilities) and curriculum through more in-depth research on existing green work readiness program models
- Facilitating the certification of the program with Department of Labor for Direct-Entry into existing apprenticeships
- Developing the financing structure for such a program, including budgetary allocation from Tompkins County and potential grant writing support from the TC Workforce Development Board
- Creating additional job placement infrastructure as deemed necessary by the Council, potentially to include coordination with employers

There is considerable urgency for creating such a work readiness program right now, to support both rapid climate action and enrollment at TC3. According to the County budget for 2020, TC3 has been facing a decline in enrollment and other financial pressures since even before the pandemic. In this current economic recession, lower tax revenues and local and state budget cuts are adding to this financial peril.

Luckily, there still remains significant funding available through NYSERDA for the robust green jobs work readiness program we envision. Specifically, NYSERDA's Energy Efficiency and Clean Energy Technology Training grant (PON 3981) is designed to support training programs developed by colleges, unions, distributors, and community organizations. The total available funding for this PON is \$4 million and they have application rounds due every three months until 2022. As mentioned about, the CaSE board recommends the Green Jobs Training and Diversity Council appoint a grant writer to go after these and other grants. A list of these other possible grants is included in the Supplementary Information section at the end of this report. Ultimately developing a financing structure that includes budgetary allocation from Tompkins County could also help support the program in the long run.

[Tompkins County Government](#) The most obvious role for local government in green job training is to serve as financial support. This has been shown through case studies like the new SUNY Ulster Green Jobs Career Academy sponsored by Ulster County, as well as the NYC Green Jobs Corps, sponsored by New York City. Tompkins County currently serves in this fiscal capacity for TC3, which makes a green jobs partnership between the County and College a logical next step. While funding such a program in the next budget seems nearly impossible for the County until there is a return to our previous fiscal stability, developing the program's financing structure with the County in mind makes sense for both non-fiscal reasons (TC

Workforce Development Board can play a major role in data collection, grant writing, etc), and because the County will likely be able to contribute to such a program in the near future.

[Tompkins County Building Trades](#). The role for local building trades union involvement also makes sense both because of the critical role they play in running existing successful apprenticeship programs, and because doing so would allow the program to take advantage of their existing physical training facilities. Working together on a pre-apprenticeship training would also ensure differentiation between pre-apprenticeship and apprenticeship curricula, since the goal would be for the program to serve as an intentional on-ramp to union apprenticeships or other on-the-job training programs outside the unions' domain. Collaborating ensures we are not duplicating efforts or re-inventing the wheel.

[Other Relevant Stakeholders](#). School districts, BOCES programs, Tompkins Workforce, Cornell Cooperative Extension, Ithaca Area Economic Development, Tompkins County Industrial Development Agency and community organizations already reaching priority populations all could contribute valuable perspectives to the Green Jobs Training and Diversity Council. It is critical that we work hard to recruit students from priority populations, which will require including a diversity of organizations already doing that work in further conversations.

Notably, Tompkins Workforce is capable of contributing up to \$3,000 of tuition costs and up to \$2,000 for transportation or other expenses per individual, for people who are income eligible. This money comes from federal Workforce Innovation and Opportunity Act funding, which is channeled through the NYSDOL to the Tompkins County Workforce Development Board, which then funnels it to Tompkins Workforce. They are also able to contribute to the wages of individuals in on-the-job training (OJT) programs, similar to NYSERDA, once a student graduates from the proposed TC3 program into an apprenticeship or other OJT program.

Additionally, there is precedent for industrial development agencies funding workforce development training programs, explored preliminarily in the section [Incentivizing Apprenticeship and Work Readiness Programs](#). Importantly, there are exciting possibilities for collaboration between these groups, and our interviews with these stakeholders suggest significant enthusiasm for this idea.

We recommend the Legislature approve the creation of the Green Jobs Training and Diversity Council

[A Green Labor Policy for the IDA](#)

Without both land use authority and a publicly owned land bank, the County lacks the power to regulate privately funded industry in order to create green jobs. However, private developers receiving public assets – including tax abatements – have a corresponding duty to the

community, our local workforce system and our climate goals. Implementing a labor representative on the Tompkins County Industrial Development Agency (TCIDA) and recommending the TCIDA green labor provisions to their financial application is one of the few levers the County has to incentivize green jobs growth.

Incentivizing publicly funded development projects to use clean energy, hire locally, use project labor agreements, and help pay into apprenticeship programs is a common sense approach to growing the local green workforce. When projects that receive abatements prioritize local workers and the environment, green construction jobs become generally more stable and desirable. There is a certain harmony between good jobs and green jobs, since both smart policies and strong, safe construction practices are key foundations to tackling climate change.

The TCIDA is already ahead of many of its counterpart industrial development agencies in its clean energy efforts. In order to receive a base tax abatement, multi-family housing and mixed-use buildings must use heat pumps instead of natural gas for space heating. In addition to helping finance many clean energy production projects, the TCIDA also finances energy-efficiency projects for small businesses that can prove energy-use improvements.

Finally, the TCIDA recently implemented its Enhanced Energy Incentive Policy in March 2020, which provides additional financial assistance to new construction projects that comply with the Ithaca Energy Code Supplement. Importantly, after January 1st 2024, all projects must also comply with the Ithaca Green Building policy at the 2030 level (net-zero or fossil-fuel free). The CaSE board looks forward to working collaboratively with the IDA to revisit and possibly build upon these policies after sufficient time has passed since the Enhanced Energy Incentive's implementation. **We recommend resuming those conversations March 2021, after one year has passed since that project's implementation.** Until then, the existence of these policies builds the case that tax-abated construction jobs are all green jobs that contribute to the larger green economy.

Tax-abated projects are by no means the most critical piece of our needed climate mitigation puzzle, as they do not provide financial assistance to small-scale retrofit projects. Yet, many of the jobs created by tax abated projects would fall under our criteria for green jobs, since the energy terms are comparably strong. As some of the largest, most long-term construction projects in the area, the policies that govern them also incentivize local people to choose careers and grow contracting businesses in the same industries that do feed small-scale clean energy retrofit work.

The County has the power to recommend to the IDA board specific provisions to include in the labor policy they are actively evaluating in the new Local Labor Subcommittee. Given the timing of this Subcommittee's creation, now is an excellent time for such a recommendation.

The County could help by weighing in on ways to encourage the implementations of the policies recommended below.

IDA Labor Seat Appointment

It is understood that the TCIDA is an independent agency from the Tompkins County legislature, and that any new policy must ultimately be implemented by them. However, the County Legislature does possess the power to appoint members to sit on the IDA. Currently, there are four County legislators, one City of Ithaca legislator, one developer and the President of the Chamber of Commerce represented on the IDA. Despite NYS's complaints of this abundance of legislators on the IDA, the CaSE board regards this abundance as a strength. That structure helps structure democratic accountability in the assignment of tax abatement, which is inherently a public issue.

This being said, we also recognize that there are no appointees representing the workers that complete tax-abated projects. TCIDA's mission statement notes the "job creation" efforts as a major focus, and relatedly the IDA has recently established a Local Labor subcommittee to evaluate creating a new local labor policy to be published early 2021. However, there is no worker represented in this labor-focused subcommittee either, which demonstrates a highly ironic lack of labor voice at the table.

Appointing such a representative to the TCIDA would align our County's IDA with its peers. Chautauqua, Monroe, Chemung, and Broome Counties all have labor appointees on their IDAs, and Erie County has multiple labor appointees and a labor Vice Chair. A County green labor strategy that promotes true economic justice and long-term green job prospects for local community members necessitates labor input and leadership around design and implementation. This is an action the County can take into its own hands to increase desirability for the green workforce.

Recommendation:

Given the importance of the IDA as a source of incentives for green job growth and the necessity of labor leadership in ensuring that these policies are worker-friendly, we recommend that, as an immediate next step, the County appoints a labor representative from the Building Trades Council at the January re-appointment meeting to help develop green labor policies. This person should be someone with both enthusiasm and knowledge of the construction landscapes that are changing in reaction to the budding green transition.

Local labor

Hiring locally both keeps money in our local economy and enables local green workers to reap the benefits of our energy transition. While the TCIDA has long encouraged applicants to hire locally, in practice this has occurred inconsistently. The IDA currently has a Local Labor Utilization Policy. This policy is a good step in the right direction because it requires contractors to report on their local labor usage. However, it also states that, "There is no minimum or maximum local construction labor utilization requirement." As a result, many developers that receive abatements do not hire locally.

Precedents for Binding Local Labor IDA Policies

Throughout New York State, counties of widely varying population sizes have implemented binding local labor policies in their IDA applications. Notably, every binding local labor policy in New York State for counties with at least 60,000 residents requires a percentage of 70% or greater of the project employees to reside in the Local Labor Area, which is usually defined to include the contiguous counties. Multiple counties with populations ranging from 60,000 to 90,000 have binding local labor policies that require 70% or more project employees to reside in the Local Labor Area.¹³

For example, in Cayuga County, which has a population of around 80,026 people, the IDA requires 65% of all project employees of the general contractor, subcontractor, or subcontractor to the subcontractor (collectively "the Workers") to reside within Cayuga County, not even within the contiguous counties.¹⁴ This demonstrates the possibility for a county smaller than Tompkins County to employ strong local labor requirements without depending on largely populated surrounding counties. The Cayuga County policy then also requires an additional 20% of the Workers to reside either in contiguous counties, which includes Syracuse, or Cayuga County. The remaining 15% of the Workers are required to reside in New York State. Notably, Cayuga County does not require the contractors or subcontractors themselves to be locally sourced as long as the employees are.

In Genesee County, which has a population of around 60,079 people, they require 90% of total project employees, excluding project managers, to reside within their Local Labor Area.¹⁵ Chemung County, with a population of 88,830, has a similar policy where they require the use of local general contractors, subcontractors, laborers, and suppliers for 70% of the total cost of

¹³ Research done by CaSE Advisory Board.

¹⁴ "IDA Documents and Policies," Cayuga County Industrial Development Agency, Accessed November 9, 2020, <http://cayugacountyida.org/documents>. See "Application for Financial Assistance, page 19.

¹⁵ "Application for Financial Assistance," Genesee County Economic Development Center, 2016, http://www.gcedc.com/application/files/1715/4047/6740/GCEDC.Final_application_new_pricing_policy.2018.pdf.

construction for new, expanded, or renovated facilities.¹⁶ Monroe County¹⁷ and Onondaga County¹⁸ require 100% local labor, Dutchess County requires 80%¹⁹ and Erie County requires 90%.²⁰

Most existing binding local labor policies recognize there are many scenarios where workers residing within the Local Labor Area may not be available with respect to a project. In those cases, developers can apply for a waiver that allows them to use more non-local workers than is outlined in the policy. Waivers often apply to (i) warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation by only approved installers; (ii) specialized construction for which qualified Local Labor Area Workers are not available; or (iii) documented lack of Workers meeting the Local Labor Area requirement. In Cayuga County, a documented lack of workers may only be ascertained after developers reach out to the Cayuga Central Labor Council, CNY Area Labor Federation, and Cayuga Works Career Center.²¹ This is a good strategy for ensuring accountability when developers apply for a waiver to denote a documented lack of workers. In certain policies, a waiver may also be granted if there is a cost differential of at least 20% between local and non-local services.

Thus, the main objective of the binding local labor policy is to incentivize the utilization of local workers when they are available, not to make the project impossible to complete without a sufficient local workforce. By requiring developers to go through additional hoops in order to hire workers from out of town, the IDAs with binding local labor policies incentivize local job creation, while still reinforcing their commitment to economic development.

IDAs across the state have also adopted different ways for enforcing compliance with the local labor percentage requirement and policy waiver system. A typical model is for the IDA to require local labor utilization reports (like the one Tompkins County currently has in place) prior to the start of construction activities, as well as monthly or quarterly. Since we currently use a monthly reporting system, it seems best to continue to use that model.

Additionally, the IDA members and staffers are often assigned the right to examine and copy the applicable books and records of the project applicant to perform spot checks of all workers

¹⁶ "Local Access Policy," Chemung County Industrial Development Agency, 2018, <http://chemungcountyida.com/wp-content/uploads/2018/07/CCIDA-Local-Access-Policy.pdf>.

¹⁷ "Application for Assistance," County of Monroe Industrial Development Agency, 2020, <https://monroecountyida.org/wp-content/uploads/COMIDA-Project-Application-20-1.pdf>. See page 9.

¹⁸ "Application for Benefits," Onondaga County Industrial Development Agency, <https://www.ongoved.com/assets/Uploads/files/downloadablefiles/OCIDA-Application-Edited-1-24-20-web.pdf>. See page 12.

¹⁹ "Local Workforce Utilization Policy," Dutchess County Industrial Development Agency, 2020, <https://thinkdutchess.com/wp-content/uploads/2020/01/IDA-Local-Workforce-Utilization-Policy-v3.pdf>.

²⁰ "Local Labor Workforce Certification," Erie County Industrial Development Agency, 2013, <https://www.ecidany.com/documents/ECIDALocalLaborPolicy.pdf>

²¹ "IDA Documents and Policies," Cayuga County Industrial Development Agency. See "Application for Financial Assistance," page 19.

at the project site to verify compliance with the Local Labor Requirement throughout the construction period.

In Erie County, if the IDA determines that compliance with the policy is not being met, the IDA sends written notice to the project applicant. The project applicant then has 10 business days to either: "(i) provide written confirmation to the IDA indicating that it has cured the violation and is now in compliance with the Local Labor Requirement; (ii) submit the Local Labor Waiver Request as described above; or (iii) confirm in writing its inability to meet the Local Labor Requirement. If the Project applicant does not respond to the Agency's Notice of Violation, or if the Project applicant confirms its inability to meet the Local Labor Requirement then the Agency shall immediately terminate any and all Financial Assistance being provided to the Project in accordance with the terms of the underlying agreements between the Agency and the Project applicant with respect to the Project."²²

Allowing the termination of financial assistance in the case of noncompliance is a common sense approach to enforcement— especially when companies are already allowed time to address noncompliance through waiver applications or adapted local hiring practices. The possibility of requesting a waiver ensures sufficient flexibility, and continued noncompliance upon receipt of a written notice would indicate irresponsible use of the publicly funded financial assistance. Strategies for enforcement that entail even more leniency would not sufficiently address the goal of a binding local labor policy, which is to incentivize the creation of local jobs in a way that still ensures economic development.

[Analysis on the Feasibility and Need for a TCIDA Binding Local Labor Policy](#)

In Tompkins County, IAED staff have recently prepared a report for the Local Labor IDA Subcommittee.²³ The report includes statistics on general local workforce data from the three largest trades in the area (electricians, carpenters, and plumbers), as well as analysis on local labor data from three recent large tax-abated projects. Before diving into the important information outlined in the report, it is important to describe its limitations in scope. The report does not include statistics on the local vs. non-local makeup of the remaining trades (operators, roofers, iron workers, insulators, millwrights, glaziers, drywall finishes, sprinkler fitters, elevator fitters, painters, bricklayers, and sheet metal workers), full statistics on union vs. non-union hiring practices, or statistics on the costs of transportation, meals and housing for out of town workers. The CaSE Board encourages the IAED to release data on these missing factors. Despite these limitations, the report outlines crucial insights.

First, the report explains that "more tradespeople reside in the IDA-local labor area than are employed there" (see figure 9).²⁴ This suggests that while a substantial number of workers

²² "Local Labor Workforce Certification," Erie County Industrial Development Agency, 2013.

²³ Kurt Anderson, "Tompkins County IDA Local Labor Subcommittee: Local Labor Report," Tompkins County Area Development, 2020.

²⁴ Anderson, "Tompkins County IDA Local Labor Subcommittee: Local Labor Report," 8.

reside in the Local Labor Area defined by the IDA in the 2016 Local Labor Utilization policy, many are leaving the Local Labor Area for work, underscoring the opportunity to focus these local workers on local projects.

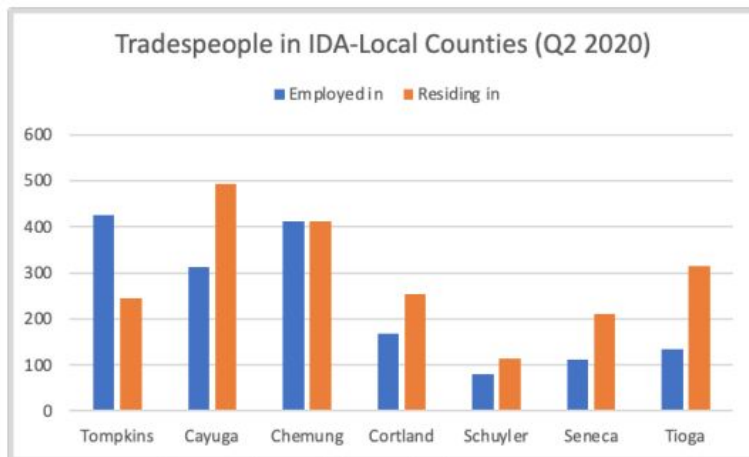


Fig. 9. Tradespeople by IDA-local county, Q2 2020.

At the same time, a substantial amount of developments are taking place in Tompkins County, and of those that have received tax abatements, there are wide discrepancies in the usage of local labor. For example, on the City Centre \$52,713,000 project, only 33% of project employees were local workers. Yet, on the Harold Square project, which was a similar size at \$43,000,000, approximately 67% project employees were local workers. While one may assume the average wages on the project that used less local labor would be higher, they were actually \$3 less per hour when they hired locally (see figures 2 & 3).²⁵

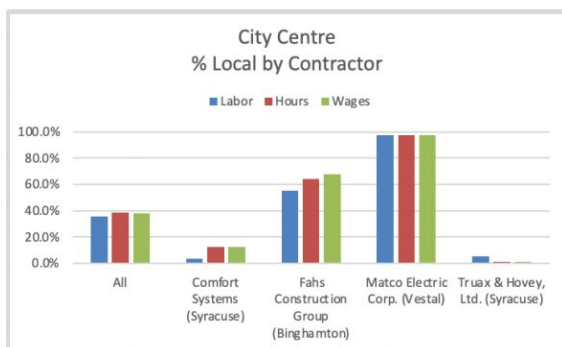


Fig. 2. Percent local (total) and percent local by contractor, City Centre, Ithaca, NY.

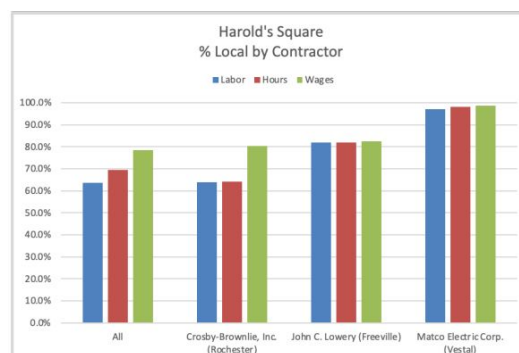


Fig. 3. Percent local (total) and percent local by contractor, Harold's Square, Ithaca, NY.

It is usually easier for developers to hire contractors with whom they have worked in the past, and often that comfort with a contractor trumps regard for their local hiring practices. Importantly, this does not always even guarantee cheaper rates. As mentioned above, a project with far less local labor (City Center) actually paid an average \$3 higher in wages than a project that used far greater amounts of local labor (Herald Square). Furthermore, while the IAED report mentions an average \$10 hourly wage increase for local workers compared to non-local

²⁵ Anderson, "Tompkins County IDA Local Labor Subcommittee: Local Labor Report," 4-5.

workers, interviews with representatives from the building trades that have worked on out-of-town projects themselves have mentioned that contractors often use a “per diem” arrangement to cover the cost of housing and meals for out of town workers. Dave Marsh, the Principal Officer of the Tompkins County Building and Construction Trades Department, noted that such a “per diem” arrangement typically includes about \$150/day. Depending on the amount of workers used on a project, it is possible this cost offsets the \$10 wage increase noted in the report.

Regardless of the potential cost *savings* of hiring locally, without a policy in place to incentivize local labor utilization, developers are free to choose to either hire locally or not. Some will and some will not. The cases of City Center and Harold Square indicate that while each project is unique, savvy developers *are* capable of hiring a large percentage of local workers on large-scale projects if they so choose. In practice, some developers do hire locally, but others do not, which demonstrates the unaccountable nature of local labor hiring practices in tax-abated projects in Tompkins County.

In a Local Labor Area where local workers are leaving the area to work, this unaccountability to the local workforce is both irresponsible and creates economic inefficiencies. From an environmental standpoint, hiring locally when it is available cuts down on emissions costs as well as economic ones. These findings indicate the necessity of a policy that intentionally incentivizes the use of local labor in scenarios where local workers are available to do the project. When a project receives public money, it ought to be accountable to the local public.

It is also important to note that in multiple scenarios, non-local contractors used local workers. For example, Matco Electrical based out of Vestal hired almost 100% local union electricians on both the City Center and Harold Square projects. Fahs Construction Group, based primarily out of Binghamton, used approximately 60% local workers. This strengthens the case for constructing a policy that bases its ideal local labor threshold on all project employees, without regard for the base location of the general contractors or subcontractors and residency of project managers. Instead, there may be other ways to incentivize the use of local contractors, perhaps by rewarding the developer for their use, instead of requiring their use.

Given the main objective of a binding local labor policy would be to incentivize the use of local labor by making it more difficult for contractors to use out of state contractors, it makes sense to set the desired percentage for local labor at 100% of all project employees.

Recommendation:

We therefore recommend the TCIDA implement a Local Labor Policy whereby 100% all project employees of the general contractor, subcontractor, or subcontractor to the subcontractor (collectively “the Workers”) could be required to reside in the Local Labor Area (Tompkins and contiguous counties). Recognizing that meeting this criteria is not always possible, waivers would be granted by the TCIDA in situations that apply to (i)

warranty issues related to installation of specialized equipment or materials whereby the manufacturer requires installation by only approved installers; (ii) specialized construction for which qualified Local Labor Area Workers are not available; or (iii) documented lack of Workers meeting the Local Labor Area requirement.

Proof of a documented lack of local workers or unavailability of local workers capable of doing specialized construction work would be demonstrated by the Developer contacting the Tompkins County Building Trades Council, the TC Workforce Development Board and Tompkins Workforce and showing receipts of those communications to the TCIDA

Should a violation of this policy be made aware to the TCIDA, the Applicant would be sent written notice of noncompliance, and upon its receipt by US Mail, the Applicant will have 10 days to either submit a request for a waiver or notify the TCIDA that it has rectified the issue through local hire. If these conditions are not met, the financial assistance will be suspended.

Incentivizing Apprenticeship and Work Readiness Programs

Certified apprenticeship programs offer important opportunities to expand the local green workforce by providing critical on-the-job training. They enable people to gain first-hand experience while making an income, thereby lowering the barriers to participation and entry into the building trades. Apprenticeships also offer cost savings to developers on menial jobs that can be easily done by workers-in-training, while simultaneously equipping local workers with the skills necessary to do high-quality work in family-sustaining careers. Incentivizing both participation in NYS DOL registered apprenticeships on tax-abated projects and financial support for green work readiness programs, like those described in the Green Jobs Training section, aligns with the TCIDA's mission of "job creation" and the County's Energy Strategy goals. We regard it strategic to merge these two actions into one Jobs Training Incentivization policy.

Indeed, IDAs across the state are actively helping to fund pre-apprentice programs and encourage tax-abated projects to participate in registered apprenticeships. For example, in 2018, the Yonkers Industrial Development Agency approved \$250,000 of spending to go toward a pre-apprenticeship program created in partnership with the Building and Construction Trades Council of Westchester and Putnam Counties, NY AFL-CIO²⁶. The New

²⁶ Dean Bender, "IDA Works with Building Trades to Create Pre-Apprenticeship Program for Yonkers Residents," IDA Works with Building Trades to Create Pre-Apprenticeship Program for Yonkers Residents § (2018), <https://yonkersida.com/wp-content/uploads/2019/10/P2A-Yonkers-IDA-launches-pre-apprenticeship-program-FINAL-VERSION-7-9-18.pdf>.

Rochelle IDA has also announced funding for a pre-apprenticeship program. **In light of our aforementioned recommendation to pursue developing a Green Work Readiness Program through TC3 and the Building Trades, we encourage the TCIDA to consider making a similar independent financial contribution to such a program.**

Yet while such an act would make an excellent contribution to the green jobs training program, there are also other stronger policies that the IDA can implement to help incentivize on-the-job training. For example, the Oswego County IDA bakes apprenticeship language into their local labor incentive policy as one of three requirements of which developers must meet two in order to receive an enhanced abatement. To receive these enhanced abatement funds, the general contractor must be a party to a NYS certified apprenticeship-training and employ apprentices on site.

There are also many examples of City and County policy that require or incentivize developers and contractors to utilize apprentices to help grow a better trained local workforce. In 2020, the City of Ithaca passed an apprentice incentive program for public works contracts that gives an incentive of \$5 per hour for each hour worked by an eligible apprentice on the awarded contract, subject to a minimum of 100-hours of apprentice work on the project per Program-participating contractor or subcontractor. To further ensure that the program assists local people, it is required that the apprentices be either residents of the City of Ithaca, or be residents of Tompkins County and a woman or a minority group member. Tompkins County has a similar apprenticeship policy whereby contractors must maintain or participate in a NYS DOL registered apprentice program on projects requiring separate specifications (Wicks Law) and cost over \$1 million dollars.

It is understood that the conditions under which public and private projects take place are quite different, and that certain policies will be feasible for public projects while impossible for a private project to partake in. We recognize the importance of creating opportunity for economic development through tax abatements that allow projects to be executed. Yet in the case of requiring apprentices to work on projects, hiring apprentices creates cost savings not cost hikes. This is because apprentice wages are often between 50% through 90% reduced from a first year journeyman, depending on the apprenticeship program and the level of training the apprenticeship has.

Recommendation:

Drawing insights from the structure of the newly implemented IDA Workforce Housing Policy, and the TC Energy Strategy, we recommend the IDA require developers receiving tax abatements to either i) employ at least 10% of the workforce through DOL registered apprenticeships OR; ii) pay \$2 into a “Green Training and Workforce Development Fund” for every \$1,000 spent of the total project cost, to fund the aforementioned TC3-Building Trades green work readiness program

- ***In order to incentivize participation in the registered apprenticeship, the TCIDA would provide a small enhanced abatement of \$5 for each hour worked by an apprentice from Tompkins County***

The numbers chosen above were based on calculations of the average total project cost size of tax-abated projects (\$17,982,748). If an average costing project pays into the Fund, it would be paying \$35,964 which is substantial enough to support a training program, but likely not sufficiently large to make a developer walk away from the project.

Project Labor Agreements

A project labor agreement (PLA) is a project specific job-site “constitution,” drafted before hiring and bidding has taken place between the owner and building trades. Incentivizing the use of PLA agreements on tax-abated projects is a strategic approach to making green construction jobs safe, reliable and desirable and for attaining our local workforce goals.

PLAs promote efficiency, stability and cost savings, while simultaneously protecting workers from safety violations and diminished labor and living standards. This is because PLAs encourage cost savings through responsible business practices, instead of cutting corners. Indeed, workers under PLA contracts often have the opportunity to negotiate overtime pay, holidays, lunch breaks, and sometimes base wages, which increases the desirability of these jobs. Indeed, ensuring green construction jobs are good jobs is a necessary component of any green workforce strategy, and we encourage the use of PLAs as a reasonable way to do so.

Developers and owners also benefit from the PLA’s strategic approach to project completion, since commitment to uninterrupted production (no strikes or lockout) is a required PLA provision. Instead, dispute resolution procedures are set in advance. In a PLA, potential problems can be anticipated and avoided. Provisions can be tailored to the specific needs of

the project. Since PLAs require hiring to be completed through union referral, contractors are also easily able to access skilled labor for the project’s duration. It is worth noting that union referral policies do not make PLAs “union-only” agreements, since they cannot discriminate against non-union contractors due to competitive bidding laws. Union halls also are prohibited from discriminating against non-union workers.

It is important to note the impact project labor agreements have had on green jobs. Indeed, in the green electrical trades in California, the use of PLAs has become a main source of the recent growth. In the report, “Environmental and Economic Benefits of Building Solar in California,” the Labor Center at UC Berkeley noted that because most utility-scale solar projects in California used PLAs, many contractors agreed to pay into pre-apprentice and certified apprentice programs.²⁷ This led to the accumulation of \$17.5 million in new money for job training programs, and to the creation of 10,200 jobs in 5 years in the solar sector. The benefits of PLAs therefore expand to the community and larger workforce.

[PLA Policy Precedents and Legal Feasibility](#)

It is important to learn from the successes and failures of similar PLA policies. In 2017, the Yonkers Industrial Development Agency (YIDA) implemented a one-year pilot policy whereby tax abated projects over \$5 million dollars would be required to use PLAs. While the extent to which developers actually refused to build in Yonkers during that year is unclear—a news article on the subject only lists one developer that refused to comply with the new policy—the Mayor decried that “the developers stopped calling.”²⁸ It seems these developers waited out the year for the policy to be up, and then lobbied the YIDA to ensure the policy would not be reinstated.

While the policy had excellent intentions, it is possible that these kinds of short lasting pilot regulatory programs create faulty incentive structures. Programs that only last a year encourage developers to wait for such programs to end instead of properly regulating the tax abated market. While the nonrenewal of the program is a disappointment, the year-long structure of the policy is also flawed.

Importantly, the CaSE board is not interested in implementing as strict a PLA requirement as the YIDA attempt. We understand that developers often lose interests in projects once the costs of receiving financial assistance from the IDA becomes too great. Thoughtful analysis must be done to balance the need to build projects—and thereby fulfill the TCIDA’s mission of economic development—and the need to ensure tax abated projects support the local

²⁷ Peter Phillips, “Environmental and Economic Benefits of Building Solar in California: Quality Careers — Cleaner Lives,” UC Berkeley Labor Center, 2014, <https://laborcenter.berkeley.edu/environmental-and-economic-benefits-of-building-solar-in-california-quality-careers-cleaner-lives/>.

²⁸ Ernie Garcia, “Yonkers' labor union jobs program a 'dismal failure,’” December 20, 2018, <https://www.lohud.com/story/news/local/westchester/yonkers/2018/12/20/yonkers-job-program-dismal-failure/2312830002/>

workforce—fulfilling its mission of job creation. Perhaps requiring PLAs on all projects over \$5 million is too ambitious a bar for developers, especially those who have never worked with PLAs before. However, creating a policy that incrementally normalizes the use of PLAs overtime should be critical. This analysis thus informs our reasoning for recommending a policy that requires feasibility studies and PLAs only in cost saving situations.

The CaSE board is also confident that if the IDA required the use of project labor agreements on tax-abated projects, it would have clear legal standing in court. The legal case of *Associated Builders and Contractors LLC v. Jersey City* (2016) sets legal precedent for arguing that industrial development agencies have legal standing to implement such policies while cities do not.²⁹ In 2016, Jersey City implemented an ordinance that required tax-abated projects greater than \$25 million to use PLAs. The policy was ultimately struck down at the appellate and then district court level after a group of local contractors decided to sue Jersey City and the Hudson County Building and Construction Trades Council for the policy.

The Third Circuit US Court of Appeals ruled that Jersey City lacks a proprietary interest in tax abated projects, therefore making it a regulator instead of a market participant. If Jersey City were a market participant, it would likely be able to implement the policies, since it would not be “so constrained by the [NLRA, ERISA, and dormant Commerce Clause] or by the relevant preemption doctrines.” However, as a regulator, the Ordinance was likely to either be preempted by the federal statutes of the NLRA and ERISA and run afoul to the dormant Commerce Clause.

Upon examination of these arguments, it is clear that if an industrial development agency had implemented such a policy instead of Jersey City, it would have been considered a market participant. Indeed, the Court determined that if two conditions could be met, i) that the government’s action “serve(s) to advance or preserve the state’s proprietary interest in a project or transaction, as an investor, owner or financier,” and ii) that the scope of the project be “‘specifically tailored to the proprietary interest,’ or put another way, whether the action is so broad as to be considered in effect, regulatory.” The court ruling also cites *Department of Revenue v. Davis*, where the Supreme Court ultimately ruled “Kentucky was a market participant not because it provided tax exemption, but instead because it sold the very bonds for which it gave tax differential treatment.”

Similarly, industrial development agencies like ours in Tompkins County are bond issuers. They receive their tax exempt status from the NYS Industrial Development Agency act of 1969. In order to render tax exempt status to the project, the IDA purchases the property involved in the project for the duration of the bond obligation and tax abatement period. Once the bond obligation has terminated, the IDA then resells the property to the developer at a predetermined nominal price, often as low as \$1.00. The TCIDA is both an owner and financier, and its actions are certainly broad enough to be considered “regulatory” because it finances

²⁹ *Associated Builders and Contractors LLC v. City of Jersey City*, No. 15-3166 (3rd Cir. 2016).

multiple projects. IDAs meet the appellate court's definition of a market participant. Thus, a policy requiring the use of PLAs on tax-abated projects falls under the scope of law.

[PLA Project Size Thresholds](#)

While all projects could benefit from the use of PLAs, these agreements are particularly valuable to projects that are complex and have serious time constraints. These time constraints are mitigated by thoughtful workflow strategizing and the no strike clauses. PLAs benefit larger-scale projects which require large workforces, since the PLA union referral system eases recruitment of workers and draws workers from large networks. They also benefit every project which seeks to promote workforce goals, which should include every tax abated project.

There is no definitive project-size threshold that can inform whether or not a PLA would generate cost savings. Feasibility studies are recommended to determine the appropriate project size. Tim Seeler, a Rochester-based engineer who conducts feasibility studies for PLAs, states that one way to use a feasibility study is to determine if a PLA for a project can show 2% or greater savings on the cost of labor. According to Seeler, such studies usually cost about \$15,000. While these studies are not necessarily prerequisites for implementing PLAs, it is commonplace for a developer to hire a qualified consultant, engineer, or construction manager to conduct them, and such feasibility studies are required on all public projects in New York State that use PLAs.

PLAs often produce considerable gains once a project reaches a large enough size wherein union referral becomes necessary for securing enough workers to complete a project on time. Nevertheless, PLAs can be advantageous to projects for reasons other than workforce size, such as for projects with serious time constraints or complicated building procedures.

Importantly, Seeler argues, incentivizing the use of PLAs is not only a good strategy for cost saving measures, but its project-specific structure also provides another opportunity for attaining workforce goals and promoting equity that are important to the TCIDA Board. These goals may include mandated participation in pre-apprenticeship and registered apprenticeship programs, local hiring requirements, and mandates to hire workers specifically from disenfranchised and underrepresented populations. PLAs can also privilege minority-owned small business contractors, which contributes to meeting our equity goals. We urge these factors to be prioritized in a developer's determination of whether or not to use the PLA, and encourage the IDA to implement an enhanced abatement should a project choose to implement a PLA if it demonstrates community and workforce benefits.

In order to identify a reasonable project-size threshold for requiring projects to conduct PLA feasibility studies, it is important to examine the average and median total project cost for tax-abated projects, which are \$17,982,748 and \$7,200,000, respectively. These figures indicate that there are a small subset of projects that are much larger than the rest, including

Asteri Ithaca LLC at \$108,793,929 and The Ithacan at \$64,300,000 and a few others towards \$50 million. Thus, it is reasonable to set this project-size threshold below the mean. The CaSE Board has identified \$7 million as a reasonable threshold for requirement to complete a feasibility study, set towards.³⁰

Implementing a policy where tax-abated projects at or above a \$7 million threshold would be required to conduct feasibility studies for PLAs is a very reasonable and pro-development way to help make green jobs into family sustaining careers. PLAs could then be strongly encouraged on projects for which the feasibility studies show a 2% or greater cost savings, as well as projects that bring other considerable benefits to the County, such as ones which could substantially grow the local workforce through apprenticeship participation and local hiring as well as reach our equity and diversity targets.

Recommendation

Therefore, we recommend the TCIDA require developers with projects over \$7 million to conduct feasibility studies on the labor cost savings, and potential workforce benefits of the use of Project Labor Agreements. Should a project's PLA feasibility study demonstrate labor cost savings, apprenticeship participation, local or priority population hire benefits, the TCIDA would strongly urge the developer to use the PLA. Should the developer use a PLA where cost savings are not shown, the TCIDA would give the developer a small enhanced tax abatement to support the use of the PLA.

Further Data Collection

The CaSE Board sees a critical need for setting a target number for placing unemployed County residents into green jobs. According to the Tompkins Workforce Development Board, they have yet to calculate the actual number of County residents out of work, which is necessary data for developing and executing a strategy to restore the low unemployment levels of 2019. The CaSE Board urges the County to understand the current unemployment number, and to include the number of people in surrounding counties who previously commuted into the Ithaca Metropolitan Statistical Area to work. Based on total unemployment, we may then suggest a percentage to set as a target for green jobs the County seeks to create and fill. This goal can then guide the TC Workforce Development Board's Workforce Strategy and the County's Energy Strategy through a target-based approach.

Additionally, the CaSE board seeks to expand and keep current the lists of local employers in clean energy, green workforce stakeholders, and available funding for green workforce development. While preliminary lists are shown below, they require more in depth research to

³⁰ "TCIDA Projects," Tompkins County Industrial Development Agency, accessed November 9, 2020, <http://www.tompkinsida.org/projects/>.

complete. It is possible that Professor Ian Greer and Intern Yana Kalmyka of the Cornell Industrial Labor Relations School's Ithaca Co-Lab can facilitate this research, although there may be other possible avenues. When complete, the CaSE board recommends the County publish the information on the Tompkins County and Tompkins Workforce New York Websites.

Conclusion

This report intentionally dives into detail on the first steps necessary to kickstarting a strong green workforce strategy. It by no means explores every necessary action that the County can take to advance the green workforce, and we suggest the County revisit its green jobs workforce strategy upon completion of the recommended actions. Future longer term initiatives focus on the indirect creation of jobs through growth of green industry, ways to improve the local quality of living to drive the local economy, and certain industries we have not yet discussed in our report: transportation, manufacturing, and clean energy production. These longer term initiatives are explained in the appendix of the report.

Appendix

A. Local employers in clean energy (not at all a complete list)

Name	Description of Organization	Current/past Workforce Activities
ETM Solarworks (Broome County)	Solar and energy storage contractor	
Finger lakes Renewables Solar Energy (solo practitioner)	Solar and energy storage contractor	
Halco Energy (serves 12 counties)	HVAC, solar, weatherization contractor	
HVAC contractors	Large and small mechanical contractors in the County	
Performance Systems Development	Energy efficiency program design, management & evaluation for utilities and government agencies	
Snug Planet	Weatherization, HVAC contractor	Collaborating with HeatSmart Tompkins on heat pump training
Sungineer Solar (solo practitioner)	Solar and energy storage contractor	
Taitem Engineering	Energy engineering and analysis; design engineering; policy and program development and support	Hires interns

B. Available Funding for Green Workforce Development

Agency	Program	Description
NYSERDA	On-the-job Training for Energy Efficiency and Clean Technology (PON 3982)	On-the-job training for HVAC, solar, etc. to reduce financial risk of hiring/training new employees.
NYSERDA	Energy Efficiency and Clean Energy Technology Training (PON 3981)	Training for colleges, unions, distributors, and community organizations.
NYSERDA	Clean Energy Communities program (consult with regional CEC Coordinator for specifics)	Direct technical support to communities/governments with clean energy leadership.
NYSERDA	Affordable Solar and Storage Predevelopment and Technical Assistance (PON 3414)	Serves low-to-moderate income households facing barriers to solar installation.
NYSERDA	Clean Energy Training Services (RFQL 4145)	Establish contractors qualified to train/teach/provide expertise on energy workforce development
NYSERDA	Clean Energy Internship Program (PON 4000)	Funding to clean energy businesses or organizations hiring interns to perform meaningful work in the clean energy sector.
U.S. Environmental Protection Agency	FY2021 Environmental Workforce Development and Job Training (EWDJT) Grants	Funding for job training programs that recruit unemployed residents to work in the environmental field.
NYS Department of Labor	CFA Program 436, NYS Department of Labor Unemployed/Underemployed Worker Training	Funding for eligible organizations that can assist the department by providing occupational skills training for unemployed/underemployed individuals.

[NYSERDA On the Job Training \(OJT\) Program Description](#)

NYSERDA's On-the-Job Training (OJT) for Energy Efficiency and Clean Technology program will provide wage subsidies to eligible businesses to help reduce the financial risk of hiring and training new workers. This program is intended to advance the goals of the Clean Energy Fund (CEF) by developing a workforce equipped to perform jobs in energy efficiency and clean technology, including providing workers with skills and credentials to design, manufacture, specify, sell/distribute, install, operate, maintain, repair, inspect, and train on clean energy technology and systems.

C. Workforce Stakeholders in Tompkins County

Stakeholders which are or could be engaged in clean energy workforce training and development in Tompkins County and the Southern Tier region include educational institutions, government agencies, non-profit organizations and commercial and trade associations. The following provides an overview, and an attached spreadsheet lists contact information as of August 2020.

Name	Description of Organization	Workforce Role or (current prospective)	Current Activities related to clean energy workforce
Tompkins Cortland Community College	Community college offering credit and noncredit education	Recruitment, training, placement, support	
Tompkins Workforce NY Career Center	Government (County and State) - Public employment services	employment services	
Tompkins County Area Development	Independent Agency - Accredited Economic Development Organization	Economic development, incentives through the IDA	
Youth Employment Service	Government - City of Ithaca agency serving youth aged 14-21 seeking jobs in Tompkins Co.	Training; placement; support	
Tompkins Workforce Development Board	Government	develop and coordinate workforce strategies and policies	
Tompkins Community Action	Non-profit weatherization agency serving LMI households		
Cornell Cooperative Extension of Tompkins County	Nonprofit - Energy Extension Educators	Training	Energy Warriors Green Career Pathways program for incarcerated youth
Sunrise Movement Ithaca	Nonprofit - Youth-led political advocacy	Recruitment and support	co-facilitating community conversations around the Ithaca Green New Deal framework
Challenge Workforce Solutions	Nonprofit creating pathways to employment for people with disabilities or barriers		

Tompkins Community Action	Nonprofit delivering weatherization for LMI households	On the Job training	
Get Your Greenback Tompkins	Nonprofit leading campaigns for sustainability and local empowerment	Training of volunteer Energy Navigators	Researching best practices for job training programs for people with employment barriers (e.g. formerly incarcerated) in the fields of energy efficiency and renewable energy
Sustainable Tompkins	Nonprofit		
NYS Weatherization Directors Association	Nonprofit with comprehensive Training Center in Syracuse	advanced training for building science and sustainable construction practices	
HeatSmart Tompkins/ Solar Tompkins	Nonprofit, market	Training	NYSERDA-funded HVAC training program
Building Bridges/TFC Associates/Dorothy Cotton Institute	Nonprofit	Recruitment and support	co-facilitating community conversations around the Ithaca Green New Deal framework
Tompkins Seneca Tioga BOCES	School - Serves 9 school districts with shared services, both educational & operational	Recruitment, training, placement, support	PTECH Academy (Gr 9-AAS degree) for adv mfg & comp sci
Ithaca City School District and all other Districts in the County	Schools	Recruitment, training	
Building Performance Contractors Association of NYS	Trade Association; Executive Director is Tompkins Co. resident		
International Brotherhood of Electrical Workers and other trade unions	Trade union	Training, placement, support	Apprenticeship programs
Learn@EcoVillage Ithaca	Education non-profit based in a residential community built around renewable energy, sustainable agriculture and neighborhood cooperatives	Training	Resilient Earth Corps immersion and internship programs. Interest in hosting green building training
Ultimate Reentry Opportunity	Non-profit to support citizens returning from incarceration	Training	
Finger Lakes Reuse Center	Non-profit	Training	ReSET (Skills and Employment Training) Program for people with barriers to employment

Bike Walk Tompkins	Non-profit organization promotes active transportation- biking and walking- in Tompkins County		Bicycling for Everyone action plan-
TCAT	Private Nonprofit organization- Ithaca bus transit system	Green Employer	
County Climate Protection Initiative	Environmental Consultant - a clean energy coalition of local community leaders who are committed to the reduction of greenhouse gas emissions, greater energy efficiency, and the adoption of renewable energy		IC Sustainability Launching Campus to Community Program, HeatSmart Tompkins Campaign,

D. A Vision for Long Term Strategy

Focus on R&D, prototyping, high tech, and small manufacturing. Economic development agencies throughout the US routinely engage in ‘smokestack chasing’, doling out tax breaks and other corporate welfare to attract large-scale industry. For Ithaca and Tompkins County, this couldn’t be a worse strategy. Since its founding, Ithaca has been ‘transportationally challenged’, which is why it never developed into a manufacturing center like Syracuse or Rochester. Currently we have only one southbound rail link, and we have no convenient connection to the Interstate highway system. Getting large quantities of raw materials in and goods out will be difficult for our ‘centrally isolated’ community. Building new rail and road infrastructure to serve a large manufacturing base is likely both fiscally and socially impossible (imagine the outcry against more truck traffic). Instead, TC should focus on development of activities that can be accommodated with our current transportation infrastructure, including R&D and small-scaled manufacturing. The presence of Cornell has contributed to local R&D and small startups, and the County should continue to support this activity. The manufacture of small-quantity high-value goods that can be easily shipped by truck or air is also a good fit for TC. If a manufacturing facility is pollution free it should be located in the City of Ithaca or in other TC population nodes. Lastly, rather than ‘importing’ companies from elsewhere, we should be ‘growing’ companies locally, creating a business climate that keeps startups here as they grow. Components of that favorable business climate center on creating a place that attracts and retains quality employees and their families. Job training and workforce development is part of that, however there are other components that need to be addressed.

Housing affordable to job holders. Few will take jobs here if other areas have comparable job opportunities and are less expensive to live in. An expansion of job opportunities without an expansion in housing opportunities could actually negate the ‘green-ness’ of green jobs because of the energy used and emissions generated from commuting, assuming the jobs are filled in the first place.

Many green jobs involve decentralized 'on-site' work, meaning that workers will be less able to perform their jobs if they rely solely on mass transit to get to work. For example, workers living outside Tompkins County but working in a solar panel manufacturing plant could conceivably take the bus to work if the factory is on a bus route, however if their homes are not on a bus route, transit is not an option. If they need to go to a different site each day, even if they live on a transit route, they won't take transit because their destination changes daily. The best strategy to deal with this transportation issue is to get these green job holders to live inside the County, to reduce the commutes of those engaged in on-site work, and to increase the probability that transit can connect those who work in a single location to their homes.

Investing in Transportation. Another avenue for job creation that goes hand in hand with affordable housing is the investment in transit projects. According to Cornell Worker's Center's Lara Skinner, investing one dollar in these projects yields a four dollar return, enabling residents transportation options at lower carbon costs and creating an influx of jobs to both build and manage transportation options. With TCAT committed to transitioning its fleet to 100% electric, now is the time to lobby the state for further investment in rapid bus transit and the revitalization of our forgotten rail lines. Potential financing mechanisms could include a carbon tax, a wealth tax on our NY state's billionaires, a financial transaction tax to reign in speculators that destabilize our financial markets. Making the case for TC's persistent and urgent transportation needs, given our unique topography and our existing investment in TCAT, could encourage the state to invest in more than just the MTA when it does finally create a transit investment plan associated with the CLCPA.

Worker Owned Cooperatives. Finding ways to encourage worker ownership in the clean energy sector could help empower workers, which would in turn draw new workers to the green industries. This could also help bridge the gaps in unionization in the clean energy fields, by providing a pathway for worker empowerment that makes sense in small-scale retrofit work. There are many ways municipalities have incentivized worker ownership, including through preferential procurement, business tax and land use incentives, changing the business permit application to allow registration as a worker cooperative, or through the creation of a publicly funded cooperative loan fund or by distributing funding to technical assistance programs that create new worker cooperatives. There is likely opportunities for IAED to support an initiative like this down the line.

Power Supply. Businesses and individuals would benefit from reliable, renewable, and lower cost electricity. Manufacturers who might rely on gas for high-heat processes will need access to more electricity as they transition away from gas. In addition, being able to isolate the County from large scale power outages with a network of microgrids would benefit everyone. Building new power production facilities is a large source of direct green jobs, so a priority should be placed on creating local generation capacity, rather than importing electricity, as demand inevitably increases due to the electrification of transportation and the transition away

from gas heating. Reducing costs through Community Choice Aggregation or public ownership of our utilities should be pursued.

County health care plan. Health care is a huge cost for businesses and workers alike, depending on the structure of a health plan. Workers often resist re-training, changing jobs, or starting their own businesses because they fear losing the health care they have. Businesses may have employees work more overtime instead of hiring an additional worker because of the added health care cost of a new employee. Short of a national or NYS universal health care program, TC might explore a large health care plan that covers ALL residents, businesses, and workers in TC. Imagine how low the premiums would be for a group plan with over 100,000 members. If only one option was offered (i.e. 100% coverage for everything, period) the administrative burden for businesses, institutions, government, and doctors would be significantly reduced. The presence of Cornell and IC is an advantage because such a large block of the County's residents and workers are already covered by their current programs. Merging and expanding their health care into a larger system would benefit both institutions and the community at large. This suggestion is not for a County funded system, but for a County led effort to create a large group plan with a private insurance company, likely re-negotiated every few years.

List of Interviewees

- | | |
|----------------------|--|
| 1. Aloja Airewele | Cornell Cooperative Extension |
| 2. Karim Beers | Cornell Cooperative Extension |
| 3. Natalie Branosky | Tompkins Workforce |
| 4. Todd Bruer | Business Manager IBEW Local 241 |
| 5. Mike Dundon | Laborers Local 785 |
| 6. Kirby Edmonds | Dorothy Cotton Institute, Training for Change |
| 7. Adele Ferranti | NYSERDA Workforce Development Program Manager |
| 8. Carl Feuer | Tompkins County Workers Center |
| 9. John Guttridge | Entrepreneur, Tompkins County IDA |
| 10. Steve Harvey | Bricklayers Local 3 NY |
| 11. Alex Hyland | IBEW Local 241 |
| 12. Anna Kelles | Member Elect, New York State Assembly |
| 13. Fred Kotler | Government Relations Advisor ILR Cornell |
| 14. Anne Koreman | Tompkins County Legislator |
| 15. Dave Marsh | Laborers Union Local 785 |
| 16. Travis Nevis | Painters and Allied trades DC 4 |
| 17. Barbara Reer | SUNY Ulster workforce developer |
| 18. Anne Rhodes | Cornell Cooperative Extension of Tompkins County |
| 19. Scott Stringer | Bricklayers Local 3 NY |
| 20. Arthur Wheaton | Workers Institute ILR Cornell |
| 21. Marcus Williamee | Plumbers and Steamfitters Local 267 |

References

- Anderson, Kurt. "Tompkins County IDA Local Labor Subcommittee: Local Labor Report." Tompkins County Area Development. 2020.
- "Application for Assistance." County of Monroe Industrial Development Agency. 2020. <https://monroecountyida.org/wp-content/uploads/COMIDA-Project-Application-20-1.pdf>.
- "Application for Benefits." Onondaga County Industrial Development Agency. <https://www.ongoved.com/assets/Uploads/files/downloadablefiles/OCIDA-Application-Edited-1-24-20-web.pdf>.
- "Application for Financial Assistance." Genesee County Economic Development Center. 2016. http://www.gcedc.com/application/files/1715/4047/6740/GCEDC.Final_application_new_pricing_policy.2018.pdf.
- Associated Builders and Contractors LLC v. City of Jersey City, No. 15-3166 (3rd Cir. 2016).
- Cha, Mijin and Skinner, Lara. *Reversing Inequality, Combating Climate Change: A Climate Jobs Program for New York State*. The Worker Institute, ILR School. 2017. <https://digitalcommons.ilr.cornell.edu/cgi/viewcontent.cgi?article=1064&context=reports>.
- "Cornell Cooperative Extension of Tompkins County Energy Warriors Program Guide 1-10." 2020.
- "The Curriculum." Roots of Success. Accessed November 9, 2020. <https://rootsofsuccess.org/curriculum/>.
- Bender, Dean, "IDA Works with Building Trades to Create Pre-Apprenticeship Program for Yonkers" Residents § (2018). Accessed November 9, 2020. <https://yonkersida.com/wp-content/uploads/2019/10/P2A-Yonkers-IDA-launches-pre-apprenticeship-program-FINAL-VERSION-7-9-18.pdf>.
- "Direct Entry." New York State Department of Labor. Accessed November 9, 2020. <https://www.labor.ny.gov/apprenticeship/direct-entry.shtm>.
- "Explore Pre-Apprenticeship." Apprenticeship.gov. Accessed November 9, 2020. <https://www.apprenticeship.gov/employers/explore-pre-apprenticeship>.
- Garcia, Ernie. "Yonkers' labor union jobs program a 'dismal failure.'" December 20, 2018. <https://www.lohud.com/story/news/local/westchester/yonkers/2018/12/20/yonkers-job-program-dismal-failure/2312830002/>.
- "IDA Documents and Policies." Cayuga County Industrial Development Agency. Accessed November 9, 2020. <http://cayugacountyida.org/documents>.

- "Local Access Policy." Chemung County Industrial Development Agency. 2018. <http://chemungcountyida.com/wp-content/uploads/2018/07/CCIDA-Local-Access-Policy.pdf>.
- "Local Labor Workforce Certification." Erie County Industrial Development Agency. 2013. <https://www.ecidany.com/documents/ECIDALocalLaborPolicy.pdf>.
- "Local Workforce Utilization Policy." Dutchess County Industrial Development Agency. 2020. <https://thinkdutchess.com/wp-content/uploads/2020/01/IDA-Local-Workforce-Utilization-Policy-v3.pdf>.
- "Measuring Green Jobs." U.S. Bureau of Labor Statistics. 2013. <https://www.bls.gov/green/#definition>.
- Phillips, Peter. "Environmental and Economic Benefits of Building Solar in California: Quality Careers — Cleaner Lives." UC Berkeley Labor Center. 2014. <https://laborcenter.berkeley.edu/environmental-and-economic-benefits-of-building-solar-in-california-quality-careers-cleaner-lives/>.
- Tompkins County Energy Roadmap: Evaluating Our Energy Resources.* Tompkins County Planning Department. 2016. <https://tompkinscountyny.gov/files2/planning/Energy-greenhouse/Energy%20Roadmap%20All.pdf>.
- "Tompkins County Energy Strategy." Tompkins County Planning Department. 2019. https://tompkinscountyny.gov/files2/planning/Energy-Strategy-adopted_08-06-19.pdf
- "TCIDA Projects." Tompkins County Industrial Development Agency. Accessed November 9, 2020. <http://www.tompkinsida.org/projects/>.
- "What is a green job?" International Labor Organization. 2016. https://www.ilo.org/global/topics/green-jobs/news/WCMS_220248/lang--en/index.htm.

Tompkins County Workforce Development Board

WIOA YOUTH Incentive Policy

Purpose

The purpose of this policy is to establish guidelines for the use of Workforce Innovation and Opportunity Act (WIOA) funds for incentives for youth participating in WIOA activities.

Background

The Workforce Innovation and Opportunity Act 20 CFR 681.650 allows for the awarding of incentive payments for recognition and achievement in WIOA related activities. Incentives are allowable to youth enrolled into the WIOA Title I Youth program. They are intended to encourage and motivate WIOA youth to reach specific goals and obtain positive outcomes. This policy shall only apply to youth participants as the WIOA regulations do not specifically provide for incentives for adult and dislocated worker participants.

Reasonable incentives are allowable only if the local workforce board has written policies and procedures governing incentive payments, and the provision of an incentive is included in the participant's Individual Service Strategy (ISS). This document provides the policy of the Tompkins Workforce Development Board (TCWDB) for granting incentive awards to youth enrolled in the WIOA Title I youth program.

Policy

It is the policy of the TCWDB to offer reasonable incentives to youth participants to encourage the youth to participate in and complete WIOA Title I activities. Any incentive shall be limited to WIOA youth programs, **including youth who are enrolled in Follow-Up Services**. The justification and strategy for providing and/or awarding incentives must be clearly defined in the youth's ISS.

For the purposes of this policy, the term "incentive" shall mean an inducement intended to motivate achievement and is communicated to the participant prior to participation in an activity. Goals and/or training outcomes eligible for an incentive must be linked to an achievement related to training, employment, work readiness skills, occupational skills, and/or basic skills attainment goals as stated in the participants' ISS and documented in accordance with applicable WIOA regulations.

All incentive awards are subject to the availability of WIOA funds and are not an entitlement. TCWDB may suspend or withdraw authorization for incentive payments at any time and at the sole discretion of TCWDB.

Youth incentive award payments are limited to a lifetime amount of \$2,500 maximum per eligible youth. Youth incentive award payments may not include entertainment, such as movie or sporting events tickets or gift cards to movie theaters or other venues whose sole purpose is entertainment and may not include gift cards with activation fees (such as Visa, Mastercard or AMEX cards). **Incentives should only be grocery, superstore, or convenient store gift cards/gas cards.**

As per TEGL 21-16, incentives paid for with WIOA funds must be connected to recognition of achievement of milestones in the program tied to work experience, education, or training. Incentives must be tied to the goal of a specific planned activity, outlined in writing in the youth's ISS prior to the commencement of the activity. Specifically, TCWDB approves of the following methods of incentive use:

1.) SKILLS GAIN

ACTIVITY	AMOUNT
TABE Post-Test Without Recognized Gain	\$10
TABE Post-Test WITH Recognized Gain (increased by at least one (1) EFL)	\$20
Increase in functioning level on any TCWDB approved basic skills assessment	\$20
Submitted Recognized Postsecondary Transcripts	\$20
Submitted Recognized Progress Report, rated at Satisfactory or better	\$50
Obtained Recognized Occupational Skills Certificate	\$30

2.) CREDENTIALS

Completed 15 hours of recognized TASC/HSE Classes and/or Tutoring	\$30
Completion of semester in college	\$300
Obtained Recognized Credential	\$50

3.) WORK READINESS ACTIVITIES (i.e. soft skills, financial literacy, resume, interviewing, job shadowing, etc.)

Completion of work readiness training	\$25 per completed workshop session; maximum \$400 awarded
Improvement demonstrated on Work Experience participant evaluation by Work Experience supervisor, based on average of overall scores	\$20

4.) UNSUBSIDIZED EMPLOYMENT

Submitted 1 st Paystub	\$10
Submitted 3 rd Paystub	\$20
Verified Recognized Employment, Education, or Training Enrollment – 2 nd Quarter after Exit	\$30
Verified Recognized Employment, Education, or Training – 4 th Quarter after Exit	\$30

Procedure

The TCWDB shall require all WIOA service providers and grantees receiving funds from a grant or contract administered by TCWDB to comply with this policy and applicable procedures. It is the responsibility of each service provider to become aware of all applicable regulations and to monitor personnel and client activities to ensure compliance. TCWDB shall review grantee compliance with this policy during the annual monitoring process.

At a minimum, service providers shall:

- 1.) document the need for the incentive and justify issuance of the award in the participant's ISS and in OSOS (describing what was awarded and why)
- 2.) maintain records of documentation that activity was completed (i.e. sign-in sheets, certificates of completion, paystubs, etc.) as well as records verifying the client received the award through an original signature on a receipt form
- 3.) provide a copy of the receipt form with signature to the administrative coordinator of the WDB
- 4.) maintain a running record of the "lifetime" expenditures per youth to ensure provided incentives does not exceed the maximum allowable \$2,500.00 per youth; youth shall remain on this record until they have aged out of the WIOA youth program, as exited youth may re-enroll in program if they were exited for reasons other than completion.

Tompkins County Workforce Development Board WIOA YOUTH Work Experience Policy

Purpose

The purpose of this policy is to define eligibility, assignment, documentation, duration, and salary for Work Experiences assigned to youth enrolled in the WIOA Youth Program. Work Experiences can be paid or unpaid and are assigned to help job-ready youth learn soft skills such as attendance, teamwork, initiative, etc., as well as job related skills they can use to progress towards their career goals.

Background

At least 20% of the program year's Youth Fund (net of Admin portion) must be spent in Youth Work Experience as set by WIOA Section 129 (c)(4). Allowable Work Experience expenses include the following (per TEGL 8-15):

- Wages and Stipends paid for participation in a work experience;
- Staff time working to identify and develop a work experience opportunity, including staff time spent working with employers to identify and develop a work experience opportunity;
- Staff time working with employers to ensure a successful work experience, including staff time spent managing the work experience;
- Staff time spent evaluating the work experience;
- Participant work experience orientation sessions;
- Employer work experience orientation sessions;
- Classroom training or the required academic education component directly related to the work experience;
- Incentive payments directly tied to the completion of the work experience; and
- Employability skills/job readiness training to prepare youth for a work experience.

All other expenses not defined as above will not be allowable work experience expenses. Supportive services are a separate program element and cannot be counted toward the work experience expenditure requirement even if the supportive services assist the youth in participating in the work experience (per TEGL 21-16).

Policy

Eligibility:

All youth assessed as eligible youth under WIOA Section 129(a)(1) and enrolled in the WIOA Youth program will be eligible for Youth Work Experience. Youth are required to develop a **career pathway** before beginning a **Work Experience**. If a youth is unsure of their career goal(s), they should complete further career exploration through Career Zone, O*Net Interest Profiler, use of Labor Market Information, etc. and/or through **Job Shadow** experience(s) before beginning a Work Experience.

*Note: Job Shadows can be completed in a couple of hours to a couple of days to expose youth to different careers they are interested in but are not sure that they want to pursue. Job Shadows are **unpaid**, and youth can complete as many as necessary to determine their career pathway.*

A youth's career pathway should be clearly defined in their **Individual Service Strategy (ISS)** before beginning a Work Experience.

Definition of the Work Experience:

According to the Federal Register Vol 81, no. 161-681.600, Work Experiences:

- are a planned, structured learning experience that takes place in a workplace for a limited period of time.
- may be payed or unpaid, as appropriate.
- may take place in the private for-profit sector, the non-profit sector, or the public sector.
- provide the youth participant with opportunities for career exploration and skill development.
- must include academic and occupational education. The educational component may occur concurrently or sequentially with the work experience. Further academic and occupational education may occur inside or outside the workplace.

Labor Standards:

Labor Standards apply in any Work Experience where an employee/employer relationship, as defined by the Fair Labor Standards Act or applicable State law, exists. Funds provided for work experiences may not be used to directly or indirectly aid in the filling of a job opening that is vacant because the former occupant is on strike or is being locked out in the course of a labor dispute, or the filling of which is otherwise an issue in a labor dispute involving a work stoppage.

Types of Work Experience:

Work experiences are meant to be short-term, planned, structured job-related learning experiences. The types of Work Experience for eligible youth include the following categories:

- 1.) Summer Employment opportunities and other employment opportunities available throughout the school year;
- 2.) Pre-apprenticeship programs;
- 3.) Internships and job shadowing; and
- 4.) On-the-job training (OJT) opportunities as defined in WIOA sec. 3(44) and in §680.700 of the same chapter.

Reasons for Work Experience:

- 1.) Assessment (determine youth's readiness, skills needed, interests, etc.) *Note: Work Experience(s) for assessment purposes should be brief (i.e. job shadow, career exploration) and may occur as often as needed. It is recommended that a single Work Experience for assessment purposes last no longer than 4 weeks maximum.*
- 2.) Skill Gain (i.e. soft or hard skills needed for the youth's identified career pathway)
- 3.) Reference Gain (i.e. development of work history)
- 4.) Potential for **unsubsidized** employment/hire upon completion of the Work Experience

Duration of the Work Experience:

As Work Experience are meant to be short-term, planned, structured job-related learning experiences, there will be a maximum hour limit set for a youth's lifetime. This should be clearly communicated with the youth and with the worksites before a work experience begins. The TCWDB has set local limit that each youth is allotted **up to a total of 480 hours (i.e. 12 weeks of full time work) of paid Work Experience** during their enrollment in the WIOA youth program **provided funding is available**. *Note: Any unpaid work experiences such as job shadowing does not detract from the 480 hours.*

Administrative Override: There may be instances where a youth will need more than 480 hours of **paid** work experience support (i.e. youth with disabilities requiring extensive job coaching). Staff must submit thorough documentation of support for why additional hours are needed for this youth, with a timeline for how many additional hours are needed, not to be extended “indefinitely”. The purpose of the work experience is to transition to unsubsidized work; therefore, a detailed plan of transition must be in place for any youth determined to need an extension of hours. The use of an Administrative Override is pending on funding availability, to be determined on a case-by-case basis.

Education/Training Component:

At least one **education/training component** must be incorporated into the Work Experience as defined in TEGl 21-16: “workforce preparation activities, basic academic skills, and hands-on occupational skills training are to be taught within the same time frame and connected to training in a specific occupation, occupational cluster, or career pathway”. Therefore, the **education/training** component(s) should:

- directly relate to the Work Experience and assist the youth with their career goals;
- be clearly defined in the youth’s ISS **before** the youth starts a Work Experience;
- occur inside or outside the workplace; and
- occur either concurrently or sequentially with the Work Experience.

In keeping with best practice regarding youth development and learning theory, it is recommended that the education/training component **occur concurrently** with the Work Experience and **occur inside the workplace**.

Note: HSE Classes and general Work Readiness Workshops can not count as the education/training component unless it specifically relates the work experience/needs of the youth to obtain their career goal(s) and is documented as such in the youth’s ISS and in OSOS Comments.

Fiscal Management:

Youth will earn the NYS regulated minimum wage. Youth counselors are responsible for collecting youth’s timesheets, submitting to their fiscal departments, and putting a copy of the timesheet in the youth’s paper file. Each youth counselor’s fiscal department will control payroll and produce checks, and the youth counselor is responsible for delivering checks to youth.

WIOA Youth priority on Work Experience: WIOA places a priority on providing valuable work experiences to youth and has set a **20% minimum budget expenditure** to go towards the Work Experience. Youth counselors should communicate with their fiscal department and/or direct Supervisor to track if they are spending **at least 20% of their budget on Work Experience**, and to make sure they know how much money is left to spend on Work Experience throughout the fiscal year. TEGl 23-14 states that this **20% minimum** is calculated based on *overall* non-administrative local area youth funds and is not applied separately for In School Youth (ISY) and Out of School Youth (OSY).

Procedure

1.) **Assess eligibility** of youth under WIOA Section 129(a)(1). Once eligibility in the WIOA Youth program is established, all youth must complete:

- an Objective Assessment (following TCWDB Objective Assessment Policy guidelines); and
- an ISS which clearly outlines a youths’ career pathway (if career pathway is unknown, refer to Eligibility section above for career exploration options).

2.) Staff must **document** the assignment of a Work Experience in OSOS as a Service provided (use Achievement Objective tab in the Customer Module, Services Window, Services Tab), and further document in OSOS Comments the Work Experience location, **start date**, job duties, education/training component, correlation with career pathway, progress and **end date**. Any updates to the youth's ISS should be updated in OSOS as well. *For further directive, staff should please refer to the "411 on WIOA Title I Youth Program Services" (Nov. 2019 updated) document.*

3.) A Work Experience assignment should correlate with the youth's career pathway, take any disabilities/limitations into consideration, and be age appropriate (comply with labor laws).

4.) Employers providing Work Experiences should complete a **Worksite Agreement** and copies should be kept in the youth's paper file for access during monitoring procedures. Each worksite should have at least one designated **Worksite Supervisor** who the youth report to, signs timesheets, and provides updates/evaluation feedback to the youth counselor.

5.) **Worksite Supervisors** and **Youth** must both sign a completed **Job Training Outline** which specifies the youth's work experience goals, academic and occupational education components that will be incorporated, and a detailed work description (hourly wage rate, number of hours to be worked per week, start and end date, general work duties, etc.).

4.) Copies of timesheets should be kept in the youth's paper file along with copies of any payroll documents.

5.) Youth counselors are to maintain **routine communication** with Worksite Supervisors to:

- determine what new skills the youth has learned;
- obtain feedback from the worksite supervisor;
- ensure the youth is complying with their assigned work schedule;
- determine if the worksite is a good fit for the youth; and
- determine how long the youth is expected to remain at the worksite.

If it is determined that the youth is not a good fit for the worksite, or if the youth redefines their career pathway, the youth may be reassigned to a **new** Work Experience. Youth counselors and/or Worksite Supervisors have the right to end a youth's Work Experience early due to any misconduct on the youth's part.

6.) **Evaluation** forms should be given to all Worksite Supervisors to complete on a routine basis (attaching the evaluation form to the youth's timesheet is an effective method to encourage evaluation completion). Questions/Comments sections can be general or tailored specifically to address specific concerns/barriers with the youth's progress.

7.) **Site Visits** should be conducted on a routine basis and can be **scheduled** in advance to ensure the Worksite Supervisor and youth will be available or can be **unannounced** as the Youth counselor sees fit.

8.) It is the responsibility of the Youth counselor to meet the needs of the Business (worksite) and maintain a successful working relationship while tracking youth's progress and providing WIOA-based **Supportive Services** and activities to the youth as needed for their success.

9.) **Education/Training Component:** see section above re: incorporation of concurrent or sequential education/training component; documentation in ISS and OSOS Comments must clearly outline the connection of the education/training component to the youth's identified career pathway.

10.) The Worksite Supervisor and the youth should be notified **at least 1 week prior to the youth's final day of work**. Youth should be encouraged to speak with their Supervisor about continuing employment or obtaining a professional job reference to aid in their job search. The **end date** of the youth's Work

Experience should be noted in both the youth's ISS and in the OSOS Services Tab and Comments section.

11.) Updated record should be kept ensuring youth does not surpass their maximum lifetime allotment of **480 hours of paid work experience** (exceptions to maximum hours apply in the event of an Administrative Override occurring; however, detailed records must still be maintained).

Tompkins County Workforce Development Board Alternative Methods of Service Delivery Policy

Purpose:

The following is to provide guidance for all Tompkins Workforce New York Adult and Youth Program Staff on various methods of appropriate service delivery.

Background:

Per TEGL 19-16, WIOA provides for a workforce system that is accessible to all job seekers, customer centered, and training that is job-driven. The workforce system delivers career and training services at the nation's nearly 2,500 American Job Centers. The Adult, Dislocated Worker, and Youth programs provide training and employment services in the American Job Center network and are required partners under the law. Under WIOA, partner programs and entities that are jointly responsible for workforce and economic development, educational, and other human resource programs, collaborate to create a seamless customer-focused American Job Center network that integrates service delivery across all programs to make it easier for workers to access the services they need to obtain skills and employment.

As such, the Tompkins County Workforce Development Board seeks to establish guidance on approved methods of service delivery for the TWFNY Adult and Youth Program staff to follow in order to improve access to services, enhance linkages to community partners and promote the reduction of barriers for participants, in particular for circumstances where in-person delivery of service is unable to be conducted.

Personal interaction with a trained staff person is the preferred method of service delivery for Tompkins WDB programs. However, when in-person contact is not able to be conducted, other methods of service delivery will be considered acceptable, upon approval by the TWFNY Youth Program Coordinator and/or the Office of Employment & Training (OET) Director.

The use of telephone, electronic mail, internet-based instant messaging, mobile phone texting, and internet-based video conferencing for providing services to program participants must not be used by the services provider as the sole or primary means of service delivery to the participants while operating under normal circumstances. The purpose of these types of service delivery options is to allow the service provider some flexibility in service delivery options, particularly under circumstances that would dramatically limit / prohibit in-person interactions between participants and staff.

Procedure:

A qualifying service must be provided to the enrolled participant at least once every 90 days. Further, In-person service delivery gaps may not exceed 180 days without approval of the Tompkins WFNY Youth Program Coordinator/OET Director.

Methods of obtaining required signatures must be conducted in accordance with the Tompkins Workforce Development Board Electronic Signature policy.

1. In-person

- a) Face-to-face contact by trained staff from the youth provider/adult program is the preferred method of service delivery.
- b) In-person staff assisted services **require an OSOS data entry** outlining the type of service and results of the interaction. It is important to note that action verbs, specifically related to one of the above criteria, should be used in ALL OSOS entries.
 - i. An example would be - "Staff met with the participant at the job site during the second week of unsubsidized employment. Staff met with employer to determine progress. Based upon this information, Staff counseled the participant on reporting to work on time and appropriate attire. Staff recommended that the participant take advantage of the travel vouchers available at the One Stop." The SENSE model for comments is required for all comments in OSOS.

2. Telephone

- a) Staff assisted services delivered via telephone may be used in place of face-to-face contact when the situation demands and **upon approval** by the Tompkins WFN Youth Program Coordinator / OET Director. This method must not be the sole method of service delivery, nor should it be used for periods of time of more than 180 days between face-to-face contact unless approved by the Tompkins WFN Youth Program Coordinator / OET Director.
- b) If staff does not receive response from the participant in return, alternate methods of contact should be attempted, and OSOS case notes should be used to record and reflect all attempts at contact.
- c) Staff assisted services delivered via telephone **require an OSOS data entry** outlining the type of service and results of the interaction. It is important to note that action verbs, specifically related to one of the above criteria, should be used in ALL OSOS entries.
 - i. An example would be - "12/6/20 Staff was unable to meet with participant due to scheduling difficulties. Staff contacted the participant via telephone to determine the participant's academic progress. After completing a brief assessment based on recent grades and skills obtained in the vocational program, Staff counseled the participant on the importance of the TASC to one's future career choice, specifically the youth's stated hope of obtaining employment after graduation. Staff recommended that the customer visit the One Stop as representatives from several local employers will be doing

open interviews next week.”

3. **Electronic Mail (Email)**

- a) Staff assisted services delivered via email may be used in place of face-to-face contact when the situation demands and **upon approval** by the Tompkins WFNy Youth Program Coordinator / OET Director. This method must not be the sole method of service delivery, nor should it be used for periods of time of more than 180 days between face-to-face contact unless approved by the Tompkins WFNy Youth Program Coordinator / OET Director. Additionally, there may not be gaps of more than two business days between contacts between the emails to demonstrate continuity of the service delivery.
- b) If staff does not receive response from the participant in return, alternate methods of contact should be attempted, and OSOS case notes should be used to record and reflect all attempts at contact.
- c) Staff assisted services delivered via email **require an OSOS data entry** summarizing the type of service and results of the interaction. It is important to note that action verbs, specifically related to one of the above criteria, should be used in ALL OSOS entries.
 - i. An example would be -“12/5/20 Staff was unable to meet with the participant due to scheduling difficulties. Staff contacted the participant via email to discuss the participant’s mentoring success. The participant has been paired with a new mentor for three months now. Staff had received comments from the mentor outlining outstanding issues. Staff requested a brief self-assessment from the participant. Staff to follow-up upon receipt. 12/7/20 Received self- assessment back from the participant via email, emailed thoughts back (counseled) based upon initial review and set meeting date to go over the results.”

4. **Internet-based Instant Messenger (IM)**

- a) Staff assisted services delivered via IM may be used in place of face-to-face contact when the situation demands, and **upon approval** by the Tompkins WFNy Youth Program Coordinator / OET Director. This method must not be the sole method of service delivery, nor should it be used for periods of time of more than 180 days between face-to-face contact unless approved by the Tompkins WFNy Youth Program Coordinator / OET Director.
- b) If staff does not receive response from the participant in return, alternate methods of contact should be attempted, and OSOS case notes should be used to record and reflect all attempts at contact.
- c) Staff assisted services delivered via IM **require an OSOS data entry** summarizing the type of service and results of the interaction. It is important to note that action verbs, specifically related to one of the above criteria, should be used in ALL OSOS entries.

- i. An example would be – “12/5/20 Staff was unable to meet with participant due to COVID-19 related circumstances. Staff contacted the participant via Instant Messenger services to provide a job referral. Staff referred the participant to a job opening at the local convenience store, as well as emailed the adjusted copy of the participant’s recent resume revisions. Common interview questions were discussed as well as appropriate dress for an interview.”

5. Texting via Mobile Phone

a.) Staff assisted services delivered via texting may be used in place of face-to-face contact when the situation demands and **upon approval** by the Tompkins WFN Youth Program Coordinator / OET Director. This method must not be the sole method of service delivery, nor should it be used for periods of time of more than 180 days between face-to-face contact unless approved by the Tompkins WFN Youth Program Coordinator / OET Director.

b.) If staff does not receive response from the participant in return, alternate methods of contact should be attempted, and OSOS case notes should be used to record and reflect all attempts at contact.

c.) Staff assisted services delivered via texting **requires an OSOS data entry** summarizing the type of service and results of the interaction. It is important to note that action verbs, specifically related to one of the above criteria, should be used in ALL OSOS entries.

- i. An example would be – “12/5/20 Staff was unable to meet with the participant due to scheduling difficulties. Staff contacted the participant via text to provide a job referral. Staff referred the participant to a job opening at the local convenience store, as well as emailed the adjusted copy of the participant’s recent resume revisions. Common interview questions were discussed as well as appropriate dress for an interview.”

6. Internet-based Video conferencing

- a) This method of contact should be documented the same as a telephone conversation (see above).
- b) This method of contact may be used as a method of service delivery and provision of education / training in the absence of in-person contact, and **upon approval** by the Tompkins WFN Youth Program Coordinator / OET Director.



Tompkins Workforce New York Electronic Signature Policy

This policy provides guidelines for the adoption and use of electronic signatures. Electronic signatures can be obtained and used for:

- Tompkins Workforce New York approved and initiated documents
- Vendor or other agency-initiated documents
- And if funder allows, forms used to conduct the business of a contract with Tompkins Workforce New York

Types of documents can include but are not limited to:

- **Personnel / Human Resources Documents.** New employee on-boarding documentation, time off requests, time sheets, mileage reimbursement requests, job description review, annual reviews, etc.
- **Fiscal Documents.** Vendor agreements and contracts, authorizations for funding, etc.
- **Program Documents for Adult, Dislocated Worker and Youth programs.** Applications, in-take and eligibility documents, data validation documents and attestations, registration forms, on-going case management and program forms such as Individualized Employment Plans or Individualized Service Strategy, Work Experience / Worksite Agreements, Training Outlines, etc.
- **Business Services Documents.** Customized training, Transitional Jobs agreements and On the Job Training (OJT) contracts and related contract implementation / execution documents, other contracts, due diligence-related documentation, etc.

Authorization to initiate an electronic signature or to use electronic signature software is given by the Tompkins Workforce New York Executive Director or Designee and is contingent upon the nature of a person's job duties as well as a person's compliance with this policy. All activity with the use of this policy as well as document storage must also comply with the Tompkins Workforce New York's PII Policy. All documents must be available in print for review by local, state and/or federal auditors and/or monitors.

Positions that may initiate obtaining electronic signatures may include but are not limited to Tompkins Workforce New York Board and Administrative Staff, Tompkins Workforce New York Program Staff, Tompkins Workforce New York Program Staff assigned to specialized contracts or grants as approved by funder, and Tompkins Workforce New York contractor staff.

The Electronic Signature software of Cloud application used must combine a single electronic authentication method with a secure process that delivers an audit trail along with the final document. In the event that e-signature software is not accessible by the customer, a **hand-written signature is required**. These can be obtained in-person, through the mail or via a secured drop-box for document collection, or through text/email/messaging systems with a **legible screen shoot/photograph** of the signature (please print and retain copy in file).

May 19, 2020: Submitted for Tompkins County Workforce Development Board Approval
Dec 15, 2020: Modifications Submitted for TCWDB Approval

Equal Opportunity Employer/Program

Auxiliary aids and services are available upon request to individuals with disabilities