




2024 POLICY BRIEF

 900 7th Street NW
Washington, DC
20001

 (202) 728-6046

 governmentaffairs
@ibew.org

 IBEWGov.org

Download the
IBEW
Government
Affairs App:

Google Play



Apple



THE INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS (IBEW)

Government Affairs Department

Policy Brief

The International Brotherhood of Electrical Workers (IBEW) Government Affairs Department plays a pivotal role in promoting the IBEW's mission and enhancing the welfare of its members. This department manages an exceptionally influential political, legislative, and grassroots initiative, unparalleled in scope and impact. It furnishes IBEW members, elected representatives, and policymakers with specialized legislative and political insights pertaining to the IBEW, thereby bolstering advocacy efforts across the country. To find out more or view online, visit our website at.

IBEWGov.org



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

GOVERNMENT AFFAIRS

About the IBEW	.....7
Chapter 1	.....9
Protecting Labor Standards and the Rights of Working People	
Pending Priorities	.....9
The Protecting the Right to Organize (PRO) Act	
Chapter 2	.....11
A Just Transition for Energy Workers	
Recent Developments	.....11
Worker Retention	
Chapter 3	.....13
Labor Standards on Energy Tax Credits in the Inflation Reduction Act	
Chapter Resources	.....14
Chapter 4	.....17
Carbon Capture Technologies	
What Does Carbon Capture Technology Provide?	.....18
Effective CO ₂ Control	
Fuel for the Economy and Energy Independence	
The Bipartisan Infrastructure Law (BIL)	
The Inflation Reduction Act (IRA)	

TABLE OF CONTENTS

Chapter 5	.....21
Advanced Nuclear Power	
Recent Developments	.....22
Nuclear’s Future, Nuclear Energy Provisions in the Bipartisan Infrastructure Law	
Reliability for Uncertain Times	
A Permanent Place for Waste	
Pending Priorities	.....23
Fuel for Advanced Nuclear Reactors	
Nuclear Power Production Tax Credit	
Chapter 6	.....25
Right-of-First-Refusal	
Recent Developments	.....26
Chapter 7	.....27
Broadband	
Recent Developments	.....27
Broadband Funding in the Bipartisan Infrastructure Law	
The \$42.45 billion BEAD Program	
Other BIL Broadband Programs	
Broadband in the American Rescue Plan Act of 2021	

Pending Priorities	.....28
Ensuring Unionized High-Road Employers Receive Funding	
Chapter 8	.....31
Manufacturing and Trade	
Manufacturing Policy	.....31
Pending Priorities on Manufacturing	.....32
Ensure Federal Investments in Manufacturing Include Labor Standards	
Update the Walsh-Healey Act	
Pass the PRO Act	
Trade Policy	.....33
Pending Priorities on Trade	.....33
No Trade Deals without Strong, Enforceable Labor Standards	
Reauthorize TAA	
Close the De Minimis Loophole	
Chapter Resources	.....34
Chapter 9	.....37
Protecting Government Employees	
Pending Priorities	.....37
The Public Service Freedom to Negotiate Act	

TABLE OF CONTENTS

Government Shutdowns	
Domestic Shipbuilding	
Chapter Resources	.....39
Chapter 10	.....41
Transportation	
EV Infrastructure Policies	.....41
Transmission Required to Support EV Network	
Railroad Policies	.....42
Rail Safety	
Railroad Decarbonization	
Pending Priorities	.....44
Chapter Resources	.....45



IBEW POLICY BRIEF

About the IBEW:

Formed in 1891, the IBEW has earned its reputation as the world's oldest and most professional electrical union. With over 820,000 active and retired members, the IBEW is the world's largest labor organization for electrical workers. IBEW members work in nearly every sector of the economy: construction, utilities, telecommunications, broadcasting, manufacturing, railroad, and government.

A Message from International President Cooper

This comprehensive guide offers a detailed examination of the legislative priorities and the present status of policy formulation within the International Brotherhood of Electrical Workers (IBEW) Government Affairs Department. It encompasses the IBEW's stance on existing legislative matters and specific action plans for impending policy.

The Government Affairs Department designed this book so members and policymakers have a single resource that explains the goals and implications of IBEW positions. Members should refer to this book when advocating before elected officials on Capitol Hill in Washington or at home and as they draft or weigh in on legislation that impacts members and their futures.

Each chapter is devoted to an issue, with staff contacts for follow-up and resources for independent research, including URLs and QR codes for easy reference. Be sure to utilize these resources, as Government Affairs regularly updates the IBEW's positions based on internal deliberations, current events, and other factors such as new laws and regulations.

This briefing book reflects the IBEW's core values: protecting the rights and livelihoods of working people. It is not a political product. The only issues highlighted are those that directly affect IBEW members. The IBEW's Government Affairs policy work is strictly limited to representing members only. As such, the IBEW is ready to partner with any elected leader who votes in the interests of IBEW members, current and future.

Scan the below QR Code to access the IBEW Legislative Scorecard



DID YOU KNOW?

IBEW Has a Scorecard for Members of Congress

By entering your address, you can find how your Members of Congress have voted on bills that the IBEW has identified to have an impact on members and their jobs

What can you find?

The IBEW Scorecard can also give you brief descriptions of the legislation that we track:

By hovering over the ⓘ next to the name of the bill, you will see a pop-up with a description of how it impacts members

The IBEW Scorecard works on your mobile device too. To view descriptions of legislation on your mobile device, you can tap on the ⓘ icon to see the description

ibew.org/votescorecard

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

GOVERNMENT AFFAIRS

IBEW Legislative Scorecard
How your legislators voted on key IBEW bills

Find Your Elected Officials:

Elissa Slotkin
(D-MI-7)

American Rescue Plan Act of 2021 ⓘ	With IBEW
Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act of 2021) ⓘ	With IBEW
Inflation Reduction Act of 2022 ⓘ	With IBEW
CHIPS and Science Act of 2022 ⓘ	With IBEW
Providing Sick Leave for Rail Workers ⓘ	With IBEW
Score: 100%	

Debbie Stabenow
(D-MI)

American Rescue Plan Act of 2021 ⓘ	With IBEW
Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act of 2021) ⓘ	With IBEW
Inflation Reduction Act of 2022 ⓘ	With IBEW
CHIPS and Science Act of 2022 ⓘ	With IBEW
Providing Sick Leave for Rail Workers ⓘ	With IBEW
Score: 100%	

Gary Peters
(D-MI)

American Rescue Plan Act of 2021 ⓘ	With IBEW
Bipartisan Infrastructure Law (Infrastructure Investment and Jobs Act of 2021) ⓘ	With IBEW
Inflation Reduction Act of 2022 ⓘ	With IBEW
CHIPS and Science Act of 2022 ⓘ	With IBEW
Providing Sick Leave for Rail Workers ⓘ	With IBEW
Score: 100%	



“The IBEW is a leading voice for working families because the IBEW’s focus has consistently been on improving members’ lives and powering an economy that works for everyone. And these priorities are amplified by 820,000 members — working in various sectors — utility, construction, telecommunications, broadcasting, manufacturing, railroad, and government.”

— International President
Kenneth W. Cooper



IBEW POLICY BRIEF

Chapter 1: Protecting Labor Standards and the Rights of Working People

As one of the largest labor unions, the IBEW is a leading voice for working families, focusing on improving the lives of members and powering an economy that works for everyone. The IBEW advocates for high-road labor standards policies, particularly:

- Prevailing wage requirements
- Project labor agreements (PLAs)
- Apprenticeship utilization requirements
- Local hire provisions
- Labor peace agreements
- End worker misclassification

The IBEW applauds the numerous steps taken by the Biden-Harris administration to improve and protect unions and the rights of working people. The IBEW will continue working with the administration and Congress to advocate for policies that safeguard organizing and collective bargaining rights. We will also continue to ensure federal investments in infrastructure include requirements to utilize registered apprenticeships and other high-road labor standards.

Pending Priorities

The Protecting the Right to Organize (PRO) Act

Public support for unions has increased recently, especially following the COVID-19 pandemic. A 2022 Gallup poll showed approval for labor unions at its highest since 1975, with 71 percent of those polled stating their approval.¹ Despite this robust and burgeoning support, the share of workers represented by unions is only around 10 percent.²

¹ Though statistically similar to the 65% approval rating found in 2020, the 2021 reading is the highest Gallup has measured since 71% in 1965. <https://news.gallup.com/poll/354455/approval-labor-unions-highest-point-1965.aspx>.

² Economic Policy Institute Fact Sheet: Why workers need the Protecting the Right to Organize Act (2021), <https://www.epi.org/publication/why-workers-need-the-pro-act-fact-sheet/>.

In recent decades, anti-union interests have eroded federal labor laws. This deterioration has made it increasingly difficult for workers to win union representation and have their voices heard.

In 2021, lawmakers introduced the Protecting the Right to Organize (PRO) Act, legislation that would bolster workers' rights to organize and make classification rules more stringent for independent contractors. In addition, the PRO Act would impose harsher punishments for employers who violate workers' rights. For example, the bill would allow workers to override right-to-work laws, protect the right to strike, and prevent employer interference in elections. The bill also includes civil penalties of up to \$50,000 per violation of the National Labor Relations Act (NLRA), double civil penalties of up to \$100,000 for repeat NLRA violations, and civil penalties against directors and officers.

President Biden has been a vocal supporter of unions and the right to organize. His administration issued a policy statement supporting the bill the day before it passed in the House.³ The PRO Act passed in the U.S. House of Representatives on March 9, 2021, but failed in the Senate.

The IBEW continues to advocate for the passage of the PRO Act and any opportunities to include similar provisions in new legislation.

Government Affairs Department Points of Contact

Danielle Eckert Danielle_Eckert@ibew.org	Director of Government Affairs
Sergio Espinosa Sergio_Espinosa@ibew.org	Energy, Pensions, & Telecommunications
Erica Fein Erica_Fein@ibew.org	Manufacturing, Trade, & Immigration
Stephanie Lezcano Stephanie_Lezcano@ibew.org	Transportation & Government Employees
Jeremy Ross Jeremy_Ross@ibew.org	Construction & Apprenticeships

³ Office of Management and Budget, Statement of Administration Policy: H.R. 842 – Protecting the Right to Organize Act of 2021 (March 8, 2021), <https://www.whitehouse.gov/wp-content/uploads/2021/03/SAP-HR842.pdf>.



IBEW POLICY BRIEF

Chapter 2: A Just Transition for Energy Workers

The IBEW supports federal legislation that incentivizes employers to keep displaced fossil fuel workers working.

The IBEW is the largest labor union in the power sector with approximately 85,000 U.S. members at coal and natural gas power plants. Efforts to limit climate change have recently rendered many fossil fuel workers vulnerable to potential displacement following transitions to other forms of electrical generation, such as solar and wind power. The U.S. Energy Information Administration found that between January 2011 and December 2022, coal-fired generation capacity declined by more than 25,000 megawatts. That equates to about a third of the total coal-fired generation capacity.

Safeguarding fossil fuel workers against job displacement, particularly IBEW members, is of the utmost importance to the Government Affairs Department. These workers are often among the highest-paid blue-collar employees in their communities, and they face unemployment through no fault of their own. The IBEW is vigorously advocating for Congress to take decisive action, ensuring these affected workers receive adequate compensation and support to restore their livelihoods.

Recent Developments

Worker Retention

The IBEW supports any policy that would incentivize fossil fuel employers, primarily utility companies, to use tax codes to keep displaced fossil fuel workers on their payroll. Lawmakers can model such an incentive after the Employee Retention Tax Credit (ERTC) created under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act). The ERTC, initially designed for small employers, gives these businesses a tax credit of \$7,000 per annual quarter for a total of \$28,000 in annual tax credits to keep an employee on payroll.

The IBEW is working with congressional lawmakers to modify the ERTC to support the significant number of fossil fuel workers vulnerable to displacement in the coming years. Protecting these workers is urgent, considering the U.S. is increasingly focused on reducing carbon emissions in the power sector.

Government Affairs Department Points of Contact

Danielle Eckert

Danielle_Eckert@ibew.org

Director of Government Affairs

Sergio Espinosa

Sergio_Espinosa@ibew.org

Energy, Pensions, &
Telecommunications



IBEW POLICY BRIEF

Chapter 3: Labor Standards on Energy Tax Credits in the Inflation Reduction Act

The Inflation Reduction Act of 2022 (IRA) offers energy tax credits that include bonus incentives for paying prevailing wages and employing registered apprentices, representing a major legislative victory for the IBEW. The Government Affairs Department is focused on ensuring the Department of Treasury correctly implements these labor standards with strong enforcement and compliance measures.

The IRA contains \$270 billion in tax incentives for various renewable energy projects. To qualify for these enhanced tax credits, owners and developers must ensure: (1) workers performing construction, alteration, and repair work on a renewable energy project are paid at least the applicable Davis-Bacon prevailing wage rate, and (2) registered apprentices perform a certain percentage of labor hours. These protections guarantee these projects create middle-class, family-sustaining career opportunities nationwide.

The prevailing wage requirements state the taxpayer must verify laborers and mechanics are paid prevailing wages during the construction of a qualifying project. Additionally, in some cases, alteration and repair of a project for a defined period after the owner places it into service also requires prevailing wage rates. The U.S. Department of Labor publishes a locality's most recent prevailing wage rates on [Sam.gov](https://sam.gov) (see chapter resources).

The apprenticeship requirements also mandate that if a taxpayer is claiming a credit, they must confirm qualified apprentices perform no less than the applicable percentage of the total labor hours of the project. Starting in 2024, the applicable percentage of total labor hours is 15 percent. In addition, the taxpayer must verify contractors have met all applicable apprentice ratio requirements.



The IRA includes stringent penalties for noncompliance with the prevailing wage and apprenticeship requirements. These penalties include:

- Prevailing wage violation penalties:
 - If the taxpayer mistakenly fails to satisfy prevailing wage requirements, they can correct their error (and still claim credits at the bonus rate) by compensating each worker the difference between actual wages paid and the prevailing wage, plus interest, and paying a \$5,000 penalty per worker.
 - However, if the taxpayer's failure to satisfy the prevailing wage requirements is due to "intentional disregard," they must pay each worker three (3) times the difference in wages. The penalty is increased to \$10,000 per worker. Once the Treasury Department determines an intentional violation has occurred, the taxpayer must pay the affected employees and the Treasury within 180 days of the determination to remain compliant, or they will not be able to claim the bonus tax credits.
- Apprenticeship utilization violation penalties:
 - If a taxpayer mistakenly fails to satisfy the apprenticeship utilization requirements, they can correct their mistake by paying a penalty equal to \$50 multiplied by the total labor hours for which the requirements were not satisfied
 - This penalty is increased to \$500 per hour if the discrepancy results from "intentional disregard" for requirements

Chapter Resources

Hyperlink	URL	QR
DOL FAQs: Prevailing Wage Requirements in the IRA	https://www.dol.gov/agencies/whd/IRA	
DOL Slides on the Inflation Reduction Act's Labor Standards Provisions	https://www.dol.gov/sites/dolgov/files/WH/D/IRA-presentation.pdf	
Guide to Finding Wage Determinations on sam.gov	https://www.dol.gov/sites/dolgov/files/WH/D/Obtaining-WDs.pdf	
Understanding a Wage Determination	https://www.dol.gov/sites/dolgov/files/WH/D/Understanding-a-Wage-Determination.pdf	

Chapter Resources

Hyperlink	URL	QR
<u>IRS Initial Guidance on IRA Labor Standards Provisions (November 2022).</u>	<u>https://www.federalregister.gov/documents/2022/11/30/2022-26108/prevailing-wage-and-apprenticeship-initial-guidance-under-section-45b6bii-and-other-substantially</u>	
<u>IRS Notice of Proposed Rulemaking on Labor Standards Provisions (August 2023).</u>	<u>https://www.federalregister.gov/documents/2023/08/30/2023-18514/increased-credit-or-deduction-amounts-for-satisfying-certain-prevailing-wage-and-registered</u>	

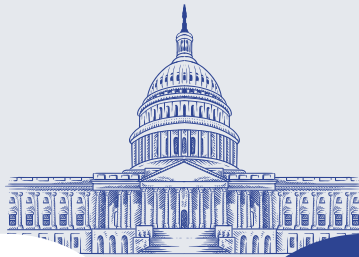
Government Affairs Department Points of Contact

<p>Danielle Eckert <u>Danielle_Eckert@ibew.org</u></p>	<p>Director of Government Affairs</p>
<p>Sergio Espinosa <u>Sergio_Espinosa@ibew.org</u></p>	<p>Energy, Pensions, & Telecommunications</p>
<p>Jeremy Ross <u>Jeremy_Ross@ibew.org</u></p>	<p>Construction & Apprenticeships</p>



DID YOU KNOW?

U.S. Senate and House Rules Differ Substantially



HOUSE OF REPRESENTATIVES

Powerful House Rules Committee; more challenging to circumvent committee consideration of legislation

Individual representatives have little power; no practice of “holds”

The Speaker of the House can approve non-controversial measures through the suspension of rules

The number and kinds of amendments are limited; non-germane (off-topic) amendments are not allowed unless permitted by a special rule

Motion for the previous question, which requires only a simple majority vote, ends debate and brings the floor vote on a measure

The presiding officer has a great deal of discretion for recognizing representatives; Members of Congress do not often challenge the presiding officer’s rulings

SENATE

No powerful committee determines rules for the body; easier to circumvent committee consideration of legislation

Individual senators have a great deal of power and can place “holds” on certain measures

The Majority Leader of the Senate often approves non-controversial measures through unanimous consent agreements

Non-germane (off-topic) amendments are allowed unless cloture is invoked or disallowed by a unanimous consent agreement

Cloture motion to end debate requires three-fifths of senators’ support; senators can filibuster most legislation, in effect necessitating a 60-vote threshold

The presiding officer has little discretion in recognizing individual senators; Senators often challenge the presiding officer’s rulings





IBEW POLICY BRIEF

Chapter 4: Carbon Capture Technologies

The IBEW supports the development of carbon capture utilization and storage (CCUS) technology. In particular, the IBEW supports technologies that achieve carbon reductions at power generation and industrial plants while highlighting American engineering and manufacturing and creating tens of thousands of union jobs.

Domestic energy sources like natural gas and coal are baseload (24/7) sources of electrical generation in an industry that provides workers, particularly in rural communities, with reliable livelihoods. The U.S. Energy Information Administration (EIA) has found that between January 2011 and December 2022, coal-fired generation capacity declined by more than 25,000 megawatts. This equates to about a third of total coal-fired generation capacity. In 2023, fossil fuels – namely coal and natural gas – contributed over 60 percent of the U.S. power generation mix. The EIA predicts natural gas will drop to 30 percent of total U.S. generation in 2050.

The international consensus is that carbon capture is essential to reducing carbon emissions to avoid the worst effects of climate change. Implementation of CCUS technology can support energy security, protect existing energy infrastructure, and create high-quality family-supporting jobs.

The IBEW's position is that CCUS adoption is essential to safeguarding energy careers critical to working families and communities across the U.S. IBEW members have worked countless hours installing and maintaining pollution control equipment in coal-fired powerhouses, steel mills, automobile manufacturing facilities, oil refineries, and other industrial facilities.

What Does Carbon Capture Technology Provide?

Effective CO₂ Control

To reach near-zero or equivalent emission targets, CCUS can work with coal and natural gas in retrofit applications. For example, for utilities, a coal plant with 90 percent effective CO₂ removal has an emission rate of about 200 pounds of carbon dioxide per megawatt-hour, compared with 800 pounds for uncontrolled new natural gas combined-cycle units. In addition, for many industrial sources like refineries, steel, chemicals, paper, and cement, CCUS may be the only effective emissions control option.

Fuel for the Economy and Energy Independence

The deployment of advanced coal technology and CCUS will provide the U.S. with a path to enhanced oil recovery, energy independence, and greenhouse gas emission reductions. The commercialization of CCUS would also offer the U.S. a critical technology it could export – particularly to significant consumers of fossil fuels like China and India.

The Bipartisan Infrastructure Law (BIL)

The BIL creates several new programs to support carbon capture technologies' research, demonstration, and commercialization. These include:

- \$3.5 billion for Regional Direct Air Capture Hubs, which would create four direct air capture hubs (facility, technology, or system that uses carbon capture equipment to capture carbon dioxide directly from the air)
- \$2.5 billion for Carbon Storage Validation and Testing for the development of new or expanded commercial large-scale carbon sequestration projects and associated carbon dioxide transport infrastructure, including funding for the feasibility, site characterization, permitting, and construction stages of project development
- \$2.1 billion for Carbon Dioxide Transportation Infrastructure Finance and Innovation Program to establish and carry out large-capacity, common carrier infrastructure with associated projects in all significant carbon-dioxide emitting regions of the U.S.
- \$355 million for energy storage demonstration projects, including carbon capture technologies and direct air capture technologies

Employers will pay all construction and maintenance workers prevailing wages on projects funded by carbon capture and direct air capture programs created under the BIL.

The Inflation Reduction Act (IRA)

The Inflation Reduction Act included an extension and modification of the Section 45Q tax credit for carbon sequestration. In addition, the IRA provides significant financial incentives for deploying direct air capture (DAC) facilities. DAC facilities must be built and operational by December 31, 2032 to qualify for the incentives. Requirements and benefits are as follows:

- Facilities must capture at least 1,000 metric tons of carbon oxide
 - If the facilities utilize the captured carbon, DAC facilities can receive a base credit of \$26 per ton
 - With an additional \$36 per ton if sequestered
 - With an extra increase to \$130 per ton and \$180 per ton if the project adheres to labor standards

- Electricity-generating facilities must capture at least 18,750 metric tons of carbon oxide
 - If facilities utilize the captured carbon, it can receive a base credit of \$12 per ton or \$17 per ton if sequestered
 - If the project adheres to labor standards, the facility is eligible for \$60 per ton to \$85 per ton, respectively
- The credit period is 12 years

IBEW and other stakeholders expect the IRA reforms to the 45Q tax credit will significantly boost the building of carbon capture facilities nationwide.

Government Affairs Department Points of Contact

Danielle Eckert

Danielle_Eckert@ibew.org

Director of Government Affairs

Sergio Espinosa

Sergio_Espinosa@ibew.org

Energy, Pensions, &

Telecommunications

Erica Fein

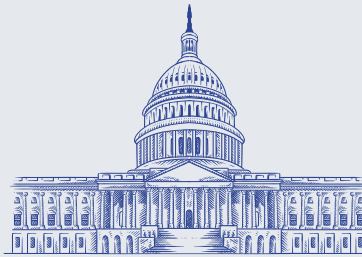
Erica_Fein@ibew.org

Manufacturing, Trade, & Immigration



DID YOU KNOW?

How a Bill Becomes a Federal Law



HOUSE OF REPRESENTATIVES

SENATE

INTRODUCTION

A representative or senator introduces a bill by filing it with the House/Senate clerk

COMMITTEE CONSIDERATION

- Bills are referred to committees for debate, analysis, and amendments
- Simple majorities are needed to pass committees in both the House and Senate
- Bills are often sent to subcommittees for extra analysis, especially on niche issues

FLOOR DEBATE

House

- Bill is debated and amended
- Simple majority needed to pass

Senate

- Bill is debated and amended
- *3/5 majority needed to end debate*
- Simple majority needed to pass

FINAL VOTES/ CONFERENCE COMMITTEE

- If both chambers pass an identical bill, it is sent directly to the president
- If they pass different bills, a conference committee is formed of representatives and senators who try and find a compromise
- Bills that pass conference committee must then pass both the House and Senate

PRESIDENT'S SIGNATURE OR VETO

- A bill becomes **law** after a president signs it or after 10 days if they take no action
- The president can reject a bill with a **veto**
- Congress can **override** the veto with a 2/3 majority vote in each chamber





IBEW POLICY BRIEF

Chapter 5: Advanced Nuclear Power

The IBEW supports initiatives that develop advanced nuclear technologies that extend the lives of current nuclear reactors. Nuclear generation is the only baseload (24/7) source of zero-emissions energy production. Nuclear generation is critical if the United States continues to reduce carbon emissions and avoid the worst potential impacts of climate change.

Next-generation nuclear power is a critical component of the effort to combat climate change. The IBEW supports research and development funding and collaboration with industry to nurture next-generation nuclear reactors, balancing economic competitiveness with reasonable regulatory oversight. Advanced nuclear technology is a fundamental component of an all-of-the-above energy strategy.

Nuclear plants provide an industrial base in communities throughout the U.S. The industry supplies high-quality employment, providing family-sustaining careers that pay on average a third more than other jobs in the community. The IBEW is the largest union in the nuclear industry – 15,000 IBEW members are employed full-time at 55 nuclear facilities nationwide. In addition, thousands more IBEW members in the construction sector rotate through nuclear plants under contracts for maintenance and refueling.

Nuclear generating facilities are among the safest industrial work environments in the world, and nuclear power has accounted for 20 percent of annual U.S. electricity generation since the late 1980s. In recent years, however, the U.S. nuclear power industry has faced economic challenges. These challenges are particularly difficult for plants located in power markets where natural gas and renewable power generators influence wholesale electricity prices. As a result, at least a dozen nuclear power reactors have permanently closed since 2012. The industry had planned even more closures, but strong federal action by Congress and the Biden-Harris administration has injected support and incentives to ensure nuclear generation can compete on a fair playing field with other power generation sources. These incentives have delayed the retirement of some nuclear reactors.

Recent Developments

Nuclear's Future, Nuclear Energy Provisions in the Bipartisan Infrastructure Law

The Biden-Harris administration has identified the nation's current fleet of nuclear power plants as vital for achieving national goals of a net-zero electricity sector by 2035 and net-zero emissions economy-wide by 2050. Accordingly, the Bipartisan Infrastructure Law (BIL) includes several nuclear energy-related provisions. The BIL established a \$6 billion civil nuclear credit program designed to preserve the existing nuclear fleet and prevent premature shutdowns of nuclear power plants. The DOE expects this provision to help maintain the U.S. reactor fleet and to save thousands of high-paying jobs nationwide. The law provides \$6 billion through 2026 (\$1.2 billion annually). Diablo Canyon in California is the first nuclear plant to receive support under this program.

Under this program, owners or operators of commercial U.S. reactors can apply for certification to bid on credits to support their continued operations. The project owners must show that without aid the reactor will close for economic reasons. Additionally, project owners must demonstrate the closure will lead to increased carbon emissions.

The BIL recognizes the contributions of our nation's existing nuclear reactor fleet in providing reliable, power to millions of households, and supports continued operations of these zero-emission energy sources and the nearly 100,000 U.S. jobs in the nuclear industry.

Reliability for Uncertain Times

While the U.S. implements more intermittent renewable power from solar and wind, the need for reliable baseload generation will grow. Severe weather events, such as polar vortexes and the recent triple-digit summer heatwaves the U.S. has been experiencing, demand the nation has access to reliable baseload generation that will operate in stressful conditions.

The U.S. can reduce carbon dioxide emissions by 3.5 billion tons by 2050 if we ensure all existing nuclear reactors run for 80 years instead of 60 years. In addition, the U.S. expects electricity demand to rise significantly in the coming decades. Thus, our zero emission goals are inextricably linked with the reliable electricity of nuclear reactors.

A Permanent Place for Waste

Critical to the future of the nation's nuclear sector is opening a permanent repository for spent nuclear fuel. More than 88,000 metric tons of spent nuclear fuel are sitting at 121 temporary sites in 39 states nationwide. Since the late 1970s, the IBEW has endorsed legislation that ensures central storage, safe transportation, and permanent disposal of spent nuclear fuels.

Due to local opposition, the Department of Energy has abandoned the decades-long effort to designate Nevada's Yucca Mountain as a repository. Instead, the DOE has announced a search for communities willing to store nuclear waste. A permanent geologic repository would help boost support for nuclear generation since storage stability for byproducts will solidify nuclear as a foundational part of our nation's energy portfolio.

In the interim, the IBEW supports opening a temporary facility to store spent nuclear fuel safely. This would allow for the redevelopment of shuttered nuclear plants. The facility would also bring economic revitalization, tax revenue, and jobs to communities hit hard by the closures. In addition, due to existing electrical transmission infrastructure, many closed nuclear stations are ideal sites for the future development of other forms of electrical generation, including renewables.

Pending Priorities

Fuel for Advanced Nuclear Reactors

The U.S. government is investing significant resources towards developing new advanced reactors. The Department of Energy's Advanced Reactor Demonstration Program represents a multi-billion-dollar commitment to developing and deploying new nuclear technologies.

Most of these new reactors require a next-generation nuclear fuel called High-Assay, Low-Enriched Uranium (HALEU). DOE's Advanced Reactor Demonstration Program selected nine designs that each require HALEU-based fuels. Unfortunately, no HALEU is produced in the U.S. today for commercial purposes. The industry imports from Russia since it is the only international source currently available.

To address this, the IBEW and the nuclear industry have called for federal support for domestic HALEU production. The need for a safe domestic source of HALEU fuel has become even more pressing since Russia invaded Ukraine in February 2022, and the Biden-Harris administration is committed to HALEU as well: the Inflation Reduction Act provides \$700 million to support the availability of HALEU.

Nuclear Power Production Tax Credit

The Inflation Reduction Act has created a new production tax credit (PTC) for conventional nuclear generation. Congress modeled the nuclear PTC tax credit after wind generation's current production tax credit. The nuclear PTC tax credit will now provide a base credit rate of 0.3 cents/kWh and a bonus credit rate of 1.5 cents/kWh. To claim the credit, a nuclear facility must pay its construction and maintenance workers prevailing wages. This credit came into effect on January 1, 2024, and expires at the end of 2032.

Like the Energy Department's Civil Nuclear Credit Program, the nuclear PTC intends to help financially vulnerable nuclear facilities by increasing the competitiveness of nuclear plants when compared against natural gas and renewable generation; the program's effectiveness in increasing nuclear competitiveness is especially notable in unregulated energy markets. Additionally, the PTC will possibly end the string of premature nuclear plant retirements that have resulted in lost work hours and jobs for IBEW members.

Government Affairs Department Points of Contact

Danielle Eckert
Danielle_Eckert@ibew.org

Director of Government Affairs

Sergio Espinosa
Sergio_Espinosa@ibew.org

Energy, Pensions, &
Telecommunications



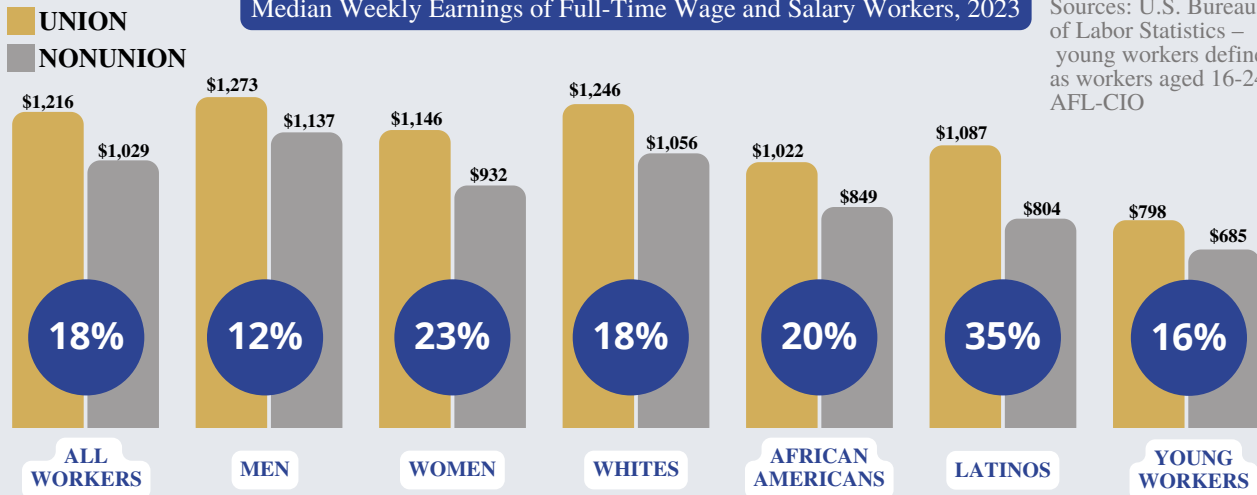
DID YOU KNOW?

The Union Difference: Building a Stronger IBEW

ENSURE A FAIR RETURN ON OUR WORK

Median Weekly Earnings of Full-Time Wage and Salary Workers, 2023

Sources: U.S. Bureau of Labor Statistics – young workers defined as workers aged 16-24; AFL-CIO



“There is a place in the IBEW for working people of every race and gender, every religion and sexual orientation, every background.” – IBEW President Kenneth W. Cooper

IBEW'S DIVERSITY EFFORTS ARE SUCCEEDING

- **75 percent increase in minority men** enrolled in apprenticeship programs 2015-2019
- 1 in 3 active male apprentices identify as minority
- From 2015 to 2019, a **90 percent increase** in the number of **women apprentices**
- 83 percent of the apprentices in IBEW's largest western program are people of color and/or women

Solid 5-year progress in membership inclusion reflected in 2022 survey:

- **Doubled** the number of Black and Hispanic members
- **A quarter** of all Black members are female





IBEW POLICY BRIEF

Chapter 6: Right-of-First-Refusal

The right-of-first refusal, or ROFR, is a state-level policy giving electric utilities the right to first build, own, and operate new transmission lines in their service area. ROFR policy gives electrical utility companies the first opportunity in the transmission planning process to acquire and agree to build a project/facility identified as needed. It enables them to acquire assets such as land, facilities, equipment, or rights-of-way important for transmission line operation. Critical aspects of the right-of-first-refusal for electrical utilities may include:

- **Evaluation Period:** The utility with the ROFR is usually given a specific period determined by the state ROFR law to evaluate the terms of the proposed action and decide whether to exercise their right or decline the opportunity to build the transmission line
- **Notification:** When the assets owner decides to sell or transfer the assets they are typically required to notify the existing utility with the ROFR clause, outlining the terms and conditions of the proposed transaction
- **Consequences of Declining:** Third-party developers can bid to build the proposed transmission line if the utility chooses not to exercise its right of first refusal

The right-of-first-refusal is a mechanism designed to maintain stability in the ownership and operation of critical electrical infrastructure. It allows the incumbent utility to have control over essential assets, ensuring the continuity of service and regulatory compliance. It also avoids the time-consuming and costly process of evaluating competing proposals and selecting winners. The specific details of ROFR provisions can vary from state to state, however.

ROFR is a debated policy with notable opponents. Independent transmission developers argue open competition in building transmission lines will lead to lower costs and faster construction. However, several recent analyses show that projects selected via competing processes do not produce savings for customers.

Debate over ROFR state laws are only active in states within the Midcontinent Independent System Operator (MISO), a regional transmission organization with the most advanced plans for building out interstate electrical transmission.

Recent Developments

In December, the IBEW sent a coalition letter with several electrical utilities and independent transmission developers to the Federal Energy Regulatory Commission (FERC) supporting the commission's proposed rulemaking for regional, long-term, scenario-based transmission planning and calling on FERC to finalize its rule as soon as practicable. In addition, the letter asks FERC to require implementation of the proposed right-of-first-refusal provisions to facilitate the timely development of needed transmission infrastructure.

In 2023, Illinois Governor J.B. Pritzker vetoed a provision in the state legislature's omnibus energy bill (HR 3445) that would have granted ROFR authority to incumbent utilities in the state. Governor Pritzker claimed ROFR policies would increase costs for transmission projects. The utilities that supported the ROFR provision in Illinois stated ROFR would actually allow construction to begin sooner. The governor's veto would result in delays to transmission projects, increasing costs and putting the benefits of zero-emission energy transition at risk.

IBEW locals in Illinois were successful in securing a project labor agreement with an incumbent utility in the state to build transmission lines that would have been constructed under the proposed ROFR law. The project labor agreement to build new electrical transmission lines in Illinois was the primary reason why the IBEW supported a ROFR law in the state.

In December 2023, an Iowa district court ruled against an Iowa state law giving incumbent utilities a right of first refusal to build transmission projects approved by the regional transmission grid operator Midcontinental Independent System Operator (MISO). As a result, the court barred MidAmerican Energy and ITC Midwest from taking any action related to the five transmission projects MISO awarded them. These projects are part of MISO's Long Range Transmission Planning Tranche 1 projects.

The state of Iowa passed ROFR legislation in June 2020. This gives incumbent utilities the first opportunity to build MISO-approved projects. The court ruling does not prevent incumbent utilities from being awarded the projects in a competitive solicitation.

Government Affairs Department Points of Contact

Danielle Eckert
Danielle_Eckert@ibew.org

Director of Government Affairs

Sergio Espinosa
Sergio_Espinosa@ibew.org

Energy, Pensions, &
Telecommunications



IBEW POLICY BRIEF

Chapter 7: Broadband

The IBEW supports policy efforts to ensure all Americans can access affordable, reliable, high-speed broadband, particularly those expanding access for rural, unserved, and underserved communities. Recently, this access has become even more vital, as high-speed broadband is now used for both medical care and education services.

Recent Developments

Broadband Funding in the Bipartisan Infrastructure Law

The Bipartisan Infrastructure Law (BIL) includes a historic investment of \$65 billion in broadband infrastructure funding to ensure all Americans have access to high-speed broadband internet. Funding will spread across several grant programs for states and communities.

The \$42.45 billion BEAD Program

The most extensive broadband grant program created under BIL is the \$42.5 billion Broadband Equity, Access, and Deployment (BEAD) program. BEAD supplies grants to states to accelerate broadband deployment. The Biden-Harris administration announced the funding each state will receive under the BEAD program in June 2023. Nineteen states will receive at least \$1 billion.

The Department of Commerce's National Telecommunications and Information Administration (NTIA) will administer the program. Each state will receive a minimum of \$100 million, with 10 percent set aside for underserved high-cost areas. States must certify they have met 100 percent of "unserved" regions before funding deployment begins in "underserved" areas.

The IBEW has been working with federal and state officials to advocate for the BEAD program to include the strongest labor standards allowed under the law, including pushing for employer neutrality for workers to organize and collectively bargain, and for contractors to pay workers at least the local prevailing wage.

Other BIL Broadband Programs

NTIA will also offer broadband infrastructure funding for the following:

- The \$14.2 billion Affordable Connectivity Program (ACP) provides a monthly subsidy to low-income households for their broadband service
 - The Federal Communications Commission (FCC) announced in January that nearly 23 million households benefit from ACP
 - However, if Congress does not appropriate additional funding the program will run out of money by April 2024
- Digital Equity Grants: \$2.75 billion to establish two new grant programs that promote digital inclusion and equity in historically underserved communities
- Tribal Broadband Connectivity Fund: \$2 billion
- Middle-mile broadband infrastructure: \$1 billion
- Rural communities: \$2 billion
- Appalachian Regional Commission's High-Speed Internet Initiative: \$100 million

Broadband in the American Rescue Plan Act of 2021

The Coronavirus State and Local Fiscal Recovery Funds program, a part of the American Rescue Plan Act of 2021 (ARPA), provided \$350 billion in emergency funding for water, sewer, and broadband infrastructure investments. In addition, the Biden-Harris administration included labor standards in the State and Local Fiscal Recovery Funds. Companies receiving funds through this program must pay their workers at least prevailing wages or provide significant wage and hour information to the federal government.

The ARPA also includes \$10 billion in Coronavirus Capital Projects Funds. The Department of Treasury officials who will administer the funding have stated they prefer states to use these funds for broadband.

Pending Priorities

The IBEW supports policies that ensure federal taxpayer dollars encourage unions and collective bargaining.

Ensuring Unionized High-Road Employers Receive Funding

The IBEW's primary objective is to ensure high-road unionized employers are first in line to receive federal and state grants for building broadband service infrastructure. Meeting this objective requires federal and state agencies responsible for disbursing broadband funding to mandate that a contractor has a demonstrated record of compliance with labor and employment laws.

Federal and state agencies can do this through pre-certification and required reporting of violations. Agencies can also attach standards to ensure workers are paid at least the prevailing wage and to exclude low-road contractors and subcontractors from receiving government contracts. The IBEW supports incorporating labor standards and bid preferences for responsible contractors on all broadband programs, encouraging highly skilled family-supporting job creation.

The Department of Commerce’s BEAD program demonstrates that the Biden-Harris administration is following through with its promise to support the creation of middle-class, union jobs in the telecommunications sector. The BEAD guidelines are as follows:

- To be eligible for funding, states must document and certify they have consulted and coordinated with labor unions to develop their buildout plans
- States must prioritize employers and contractors with a demonstrated record of compliance with federal labor and employment laws
- States must ensure use of a highly skilled workforce to build the BEAD-financed broadband network
- Contractors can fulfill the requirement for highly skilled workforce through graduates of registered apprenticeships or other joint labor-management training programs
- The BEAD program strongly encourages and incentivizes paying workers prevailing wages and using a unionized workforce or project labor agreement (PLA)
- Companies that don't certify they are paying prevailing wages are to report specific information about the quality of the jobs they are creating
- Companies must disclose their plans for the continuity of the workforce
- The BEAD program provides authority for and encourages the use of labor peace agreements

Government Affairs Department Points of Contact

Danielle Eckert
Danielle_Eckert@ibew.org

Director of Government Affairs

Sergio Espinosa
Sergio_Espinosa@ibew.org

Energy, Pensions, &
Telecommunications



DID YOU KNOW?

There are Five Priority Labor Standards

1. Protecting Federal Prevailing Wage Laws

- The prevailing wage rate is the average wage paid to similarly employed workers
- Prevailing wage laws create competition based on who can best train, best equip, and best manage a construction crew – not on the basis of who can assemble the cheapest, most exploitable workforce – either locally or through the importation of labor

2. Registered Apprenticeship - The Gold Standard of Workforce Training

- To guard against the inherent dangers of working in the construction industry, workers must receive the highest quality training
- Registered apprenticeships are "earn as you learn" programs, where individuals can earn good wages while establishing the skills to obtain a high-quality career

3. ABC Test: Eliminate Worker Misclassification and Wage Theft

- Worker misclassification is when employers misclassify workers as “independent contractors,” denying them fair compensation for their efforts
- The “ABC test” is the solution
- The ABC Test requires that independent contractors must fit the following criteria:
 - (A) Free from the employer's control
 - (B) Has made independent investments in their established trade
 - (C) Performs work outside of the scope of the employer's core business

4. Neutrality Agreements

- Neutrality agreements allow workers to make a choice whether or not to join a union without bitter employer driven campaigns to pressure workers against organizing

5. Local Hire

- By requiring employers to agree to hire local residents, local hire requirements ensure that members in the community benefit from job training opportunities and projects are built to the high standards that registered apprenticeships teach while also providing pathways to union careers that pay family sustaining wages and benefits





IBEW POLICY BRIEF

Chapter 8: Manufacturing and Trade

Manufacturing Policy

As a union with a significant footprint in the North American manufacturing sector, the IBEW supports strong labor rights and enforcement provisions in manufacturing and trade policies. The highly diversified list of products manufactured by IBEW members includes batteries, semiconductors, transformers, control panels, electric motors and generators, wire and cable, electric switchboards, breakers, switchgear, and other advanced energy components like light fixtures and medical and X-ray equipment.

Policies that offshore domestic manufacturing to foreign, low-cost markets and create unfair international trade relationships harm IBEW members. The experience of the IBEW and the labor movement is that trade policy over the past several decades has been one of the most significant factors in the sharp decline of domestic manufacturing. In addition, policies that encourage union busting or make it more difficult for workers to unionize have also deeply impacted the manufacturing sector. As a result, the number of IBEW members working in the advanced manufacturing sector has dropped dramatically over the past 40 years from 400,000 to 30,000.

The Biden-Harris administration's Invest in America agenda has begun to reverse this decline in U.S. manufacturing and create a more level playing field for U.S. workers. The past several years of legislation and executive orders not only support the onshoring of U.S. jobs but also aim to ensure these jobs are high-quality union jobs. From EV batteries to solar panels to wind turbines to semiconductors, the electrification of America's economy means the IBEW is poised to regain market share in America's factories.

Pending Priorities on Manufacturing

Ensure Federal Investments in Manufacturing Include Labor Standards

Through enactment of recent major legislation, including the Inflation Reduction Act, Bipartisan Infrastructure Law, and CHIPS and Science Act, the Biden-Harris administration is investing hundreds of billions to jumpstart a revitalization of domestic manufacturing. Congressional supporters and the administration fought to tie these federal dollars to strong labor standards in the manufacturing sector that can create generational, family-sustaining union jobs but ultimately came up short. Moving forward, the IBEW seeks passage of legislation that requires federal investments in manufacturing to incentivize or require labor standards. The IBEW also requests that federal agencies providing manufacturers with grants, loans, tax credits, and other financial incentives encourage these companies to make commitments that put workers at the table and keep them there through long-term worker training and equity, job quality and worker protections, meaningful collaboration with unions, and use of union and domestic labor and content up and down the manufacturing supply chain.

Update the Walsh-Healey Act

Current law, known as the Walsh-Healey Public Contracts Act (PCA), establishes minimum “prevailing” wage, maximum hours, and safety and health standards for work on federal manufacturing contracts over \$15,000. Congress enacted Walsh-Healey to ensure that government contractors in manufacturing were not subjecting their workers to oppressive working conditions, and to root out child labor across the sector.

The law needs to be updated, however. Because of ambiguities in the law and a legal decision under *Wirtz v. Baldor Electric Co.*,⁴ the Department of Labor hasn't issued new wage determinations in decades. Since the 1960s, the Walsh-Healey Act's prevailing minimum wage has been the federal minimum wage as determined under the Fair Labor Standards Act (FLSA).

The reform of Walsh-Healey would create a more effective wage rate determination and enforcement process by setting a national “prevailing minimum wage.” A national wage standard in manufacturing would also counteract some of the harmful impacts of so-called “right-to-work” policies because it would erase a reason for manufacturers to move their operations to states with lower union density.

Pass the PRO Act

Discussed in-depth in Chapter 1, the Protecting the Right to Organize (PRO) Act's passage would be one of the best ways to protect manufacturing workers and ensure they have high-road employment and employment protections. The legislation:

- Adds penalties on employers for violating workers' rights
- Broadens the categories of workers protected under the National Labor Relations Act
- Protects collective action and removes barriers to workers having a voice
- Strengthens employee collective bargaining rights
- Modernizes the union election and enforcement process

⁴ For a discussion of the case, see, Congressional Research Service, “Federal Contract Labor Standards Statutes: An Overview,” December 2007, <https://crsreports.congress.gov/product/pdf/RL/RL32086/7>

Trade Policy

For the first time in decades, the United States is pursuing its own industrial and trade policy that factors in domestic workers. This is a shift from the recent agenda that prioritized the removal of tariffs and other so-called trade barriers. The resulting trade “liberalization” created a race to the bottom instead of a rising tide. Companies used the reduction in U.S. tariffs and the investment protections in free trade agreements and other global trade arrangements to move production to countries with weak or non-existent labor, environmental, health and safety, or human rights standards, and whose governments often offered generous subsidies. This allowed companies to juice profits while still selling to the same markets our factories used to supply, including in the U.S. The same pattern occurs within the U.S., as states that have passed right-to-work-for-less and other anti-union laws lure companies from other states with tax giveaways.

China has engaged in particularly aggressive, unfair, and even predatory trade and economic practices, and perpetrated labor and human rights violations that deeply undercut U.S. manufacturing. By heavily subsidizing a range of industries and repressing workers’ rights, China has been able to undermine U.S. producers and workers, leading to millions of lost jobs and tens of thousands of shuttered factories. One example is dumping, which is when China provides massive financial incentives to its solar industry facilities using forced labor to build solar panels and other components to flood the U.S. market with these parts.

Pending Priorities on Trade

No Trade Deals without Strong, Enforceable Labor Standards

For too long, the U.S. has negotiated trade deals, like NAFTA, CAFTA, and the U.S.-Korea Free Trade Agreement (KORUS), that leave workers behind. To begin to reverse this trend, the Biden-Harris administration signed major laws investing in domestic infrastructure and manufacturing like the IRA, BIL, and CHIPS Act, as discussed above. The IBEW supports a strong industrial and trade policy that promotes economic growth and broadly shared prosperity, maintains U.S. economic competitiveness, and – most importantly – protects U.S. workers.

The IBEW believes all future trade agreements should include strong labor standards – such as bans on forced labor and the right of workers to bargain collectively – with real enforcement mechanisms. For example, the US-Mexico-Canada (USMCA) agreement, while far from perfect, includes a process, known as the Facility-Specific Rapid Response Mechanism (RRM), that allows for inspections of factories and facilities that are not meeting obligations. Under the USMCA, governments can embargo goods from a facility if there is a credible allegation of certain labor rights violations at a specific facility. The USMCA also requires reforms of Mexican labor laws to, in theory, provide their workers with uncompromised labor protections. We are already seeing the impacts of this new labor rights tool, as investigations of bad actors are leading to company neutrality statements and collective bargaining agreements negotiated with independent trade unions.

Enforceable labor standards in free trade agreements support workers in other countries but also help level the playing field for U.S. workers, who should not have to compete in a race to the bottom on wages and working conditions. But these labor standards are not just good for workers; they also improve supply chain resilience and minimize supply chain disruptions, including lowering incentives for worker strikes and other work stoppages, and decreasing the risk of import restrictions on products made with forced labor.

Reauthorize TAA

Trade Adjustment Assistance (TAA) is a training and reemployment program that helps workers who lose their jobs due to foreign competition. TAA lapsed in July 2022 for new participants because Congress did not reauthorize it. However, workers already enrolled before the lapse can continue to receive benefits. The IBEW supports reauthorizing, fully funding, and modernizing TAA by expanding eligibility and benefits.

Close the De Minimis Loophole




Under a change made to U.S. law in 2016, companies may import goods valued under \$800 – known as the de minimis threshold – without paying duties, taxes, fees, or undergoing customs and border inspections. This is a massive increase from the previous limit of \$200 and well above most U.S. trading partners. Canada, for instance, has a de minimis threshold of \$40 and \$150, for tax and customs purposes respectively.

China can exploit this loophole by shipping millions of packages valued under \$800 into the U.S. daily without paying tariffs, tilting the playing field and hurting American manufacturing and retail workers. This exploitation also puts consumers at greater risk of dangerous or counterfeit goods that bypass safety inspections and allows the import of illicit goods like fentanyl.



The de minimis loophole also contributes to human rights abuses. Some of the most aggressive exploiters of this loophole are Chinese fast-fashion companies linked to slave labor who use de minimis to circumvent laws designed to prevent imports made with slave labor. IBEW has endorsed and continues to urge the passage of the bipartisan Import Security and Fairness Act authored by Reps. Blumenauer and Dunn and Sens. Brown and Rubio, to close this loophole and require more stringent screenings of goods from China.

Please contact the Government Affairs Department representative covering this policy area for updates.

Chapter Resources

Hyperlink	URL	QR
Manufacturing Resources:		
EV tax credit information released by the U.S. Department of the Treasury	https://home.treasury.gov/system/files/136/EV-Tax-Credit-FAQs.pdf	
Congressional Research Service's brief report EV Tax Credits	https://crsreports.congress.gov/product/pdf/I/N/IN11996	
Biden-Harris Administration Delivers on Made in America Commitments	https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/04/fact-sheet-biden-harris-administration-delivers-on-made-in-america-commitments/	

Chapter Resources

Hyperlink	URL	QR
Made in America Fact Sheet	https://www.whitehouse.gov/briefing-room/statements-releases/2022/03/04/fact-sheet-biden-harris-administration-delivers-on-made-in-america-commitments/	
Made in America Office	https://www.whitehouse.gov/omb/management/made-in-america/	

Government Affairs Department Points of Contact

Danielle Eckert
Danielle_Eckert@ibew.org

Director of Government Affairs

Erica Fein
Erica_Fein@ibew.org

Manufacturing, Trade, & Immigration



DID YOU KNOW?

Funding Federal Programs Requires Authorization Before Appropriation



AUTHORIZATION

Establishes, continues, or modifies federal agencies or programs

Necessary for mandatory federal spending

Legislation is written by congressional committees with jurisdiction over specific subject areas

Allows for the expenditure of funds from the federal budget

A Conference Committee resolves any differences in the authorization bills passed by the House and Senate

APPROPRIATIONS

Outlines how money will be spent on federal program during the following fiscal year

Addresses discretionary federal spending

Annual appropriations measures are written by 12 Appropriations Subcommittees in each chamber of Congress

The same version of the appropriations bill must be passed by both the House and the Senate



The Authorization Process



House and Senate Committees draft authorization bills



House and Senate each pass a version of the authorization bill



If the bills are not the same, a Conference Committee resolves any differences and sends the bill back to both chambers



Authorization is sent to the White House; president passes or vetoes



An authorization bill that becomes law creates, continues, or modifies a program and allows for it to be funded by taxpayer money

Authorization and appropriations bills are related

Authorizations cover multiple years. Authorization laws only allow the government to spend money on the grant program.

Appropriations are the actual dollars the government budgets for the program yearly.

Authorizations in the absence of appropriations

Congress may choose not to fund a program or activity despite it being authorized.

Members of Congress can limit funds, deny funds, or allow funds to expire to limit or prevent agencies from implementing programs.





IBEW POLICY BRIEF

Chapter 9: Protecting Government Employees

Nearly every agency within the U.S. and Canadian governments relies on IBEW members to carry out their missions. Government sector members of the IBEW work across federal agencies from the National Park Service and Department of Veterans Affairs to every military branch.

In addition to performing critical maintenance work on federal buildings and equipment, IBEW members work on ships, all types of government-owned transmission lines, navigational locks and dams, U.S. Capitol buildings, and hydro- and steam-driven electric power generating plants, among others.

The U.S. government employs many IBEW members, providing crucial electrical services across various government agencies. These skilled workers play essential roles in defense activities, naval and Coast Guard shipyards, federal buildings and equipment maintenance, communication projects, navigational locks and dams, and electric power generation plants. Federal agencies, including branches of the armed services, the General Services Administration, NASA, Bureau of Reclamation, National Park Service, and Department of Veterans Affairs, as well as on projects like the Tennessee Valley Authority and the Bonneville Power Administration, employ members of the IBEW.

Pending Priorities

The Public Service Freedom to Negotiate Act

The IBEW and AFL-CIO support enacting the Public Service Freedom to Negotiate Act, legislation that allows public sector employees to join a union and bargain collectively. This legislation became necessary after the U.S. Supreme Court ruled in 2018 on the case *Janus v. AFSCME*. The decision stripped public employee unions of their ability to collect fees for the representation they are legally required to provide workers. In addition, the Public Service Freedom to Negotiate Act would help level the playing field for essential workers by establishing a minimum standard of collective bargaining rights states and localities must provide.

The Public Service Freedom to Negotiate Act would empower the FLRA to protect all government employees' rights in states that fail to offer fundamental collective bargaining rights. This protection includes state, territorial, and local government employees. The Public Service Freedom to Negotiate Act allows public sector employees to:

- Form, join, and assist unions to bargain collectively and to engage in other collective activities to improve working conditions
- Have their union recognized by their public employer through democratic procedures
- Have a procedure for resolving impasses in collective bargaining
- Authorize the deduction of fees to support a union to the extent permitted by law

Government Shutdowns

The IBEW strongly opposes any government shutdown. IBEW members are critical in providing quality service for various federal agencies, particularly those procuring national defense assets like naval submarines. The IBEW brings a unique expertise to national security. A government shutdown could disrupt essential procurement processes, leading to delays and potential vulnerabilities in defense capabilities.

The overall impact of shutdowns includes financial instability for federal employees, decreased efficiency in government operations, uncertainty, disruption of critical services, and a decline in morale among those serving our nation in these vital roles.

The IBEW calls for prioritizing the well-being of the federal workforce and the nation's stability, urging efforts to avoid government shutdowns and allow public servants to continue their essential work without interruption.

Domestic Shipbuilding


The IBEW staunchly supports and advocates for the prioritization of domestic shipbuilding as a crucial component of both economic and national security. From the IBEW's perspective, investing in and promoting domestic shipbuilding industries not only bolsters the country's economic strength but also safeguards critical infrastructure.

The IBEW emphasizes the creation and retention of good-quality jobs for skilled IBEW workers who build and maintain some of our nation's most critical infrastructure, supporting our national security and fostering a skilled labor force that contributes to the overall competitiveness of the nation's shipbuilding sector.

By prioritizing domestic shipbuilding, the IBEW aims to ensure that the industry remains vibrant, technologically advanced, and capable of meeting the ever-evolving needs of the nation.

Furthermore, the IBEW contends that supporting domestic shipbuilding is essential for maintaining a resilient and self-reliant national defense strategy. A robust shipbuilding industry ensures the timely production of naval vessels, providing the military with the tools necessary to safeguard the country's maritime interests and national security. The IBEW argues that relying on foreign shipyards for critical naval assets could pose risks to national security, as it may expose the nation to potential disruptions in the supply chain or compromise sensitive technologies. In essence, prioritizing domestic shipbuilding aligns with the IBEW's commitment to fostering economic prosperity, creating jobs, and safeguarding the nation's security through a resilient and self-sufficient shipbuilding industry.

Chapter Resources

Hyperlink	URL	QR
The Public Service Freedom to Negotiate Act Resources:		
H.R.5727 - Public Service Freedom to Negotiate Act of 2021	https://www.congress.gov/bill/117th-congress/house-bill/5727?s=1&r=9#:~:text=This%20bill%20provides%20minimum%20collective,by%20certain%20public%20safety%20workers.	

Government Affairs Department Points of Contact

Danielle Eckert Danielle_Eckert@ibew.org	Director of Government Affairs
Sergio Espinosa Sergio_Espinosa@ibew.org	Energy, Pensions, & Telecommunications
Erica Fein Erica_Fein@ibew.org	Manufacturing, Trade, & Immigration
Jeremy Ross Jeremy_Ross@ibew.org	Construction & Apprenticeships



DID YOU KNOW?

Anti-Union Laws: The Myth of Right-to-Work

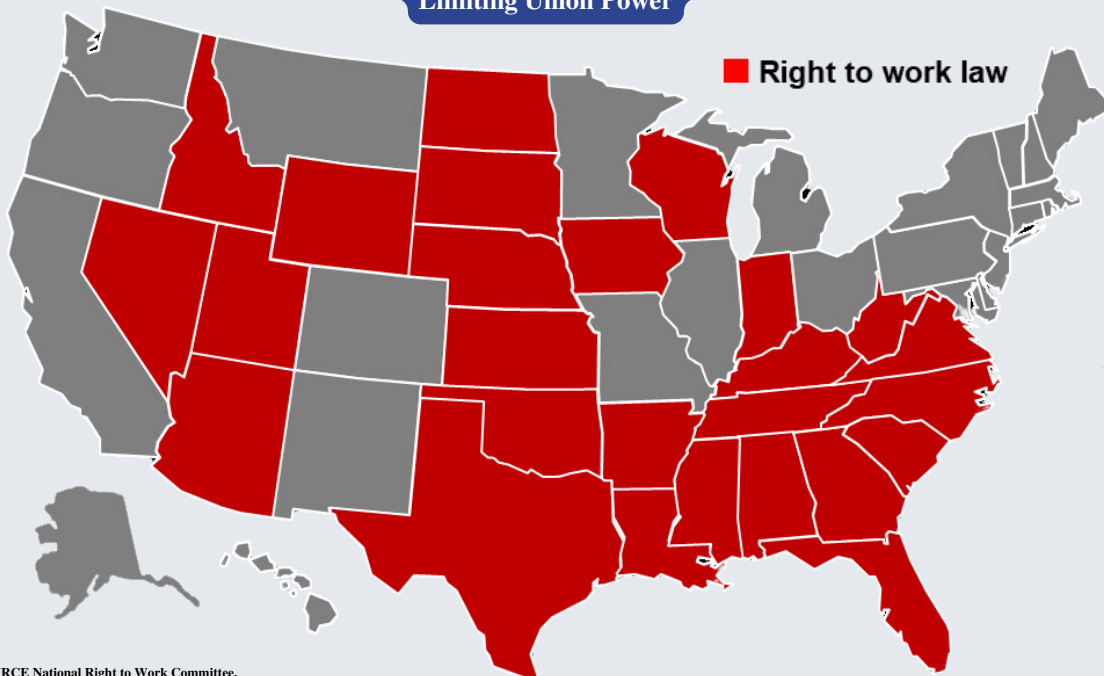
WHAT IS “RIGHT-TO-WORK”?

Right-to-work laws make it optional for workers covered by a union contract to help pay for the expenses the union incurs while protecting the rights of all employees.

Studies show that these deceptively titled laws drive down wages, benefits, and overall living standards for everyone. In fact, right-to-work laws do not create jobs or improve a state's business climate.

The reality is these laws make it harder for working people to form unions and collectively bargain. These laws tilt the balance in favor of corporations in order to limit the power of workers to advocate for themselves and their families.

26 States with Right-To-Work Laws Limiting Union Power



SOURCE National Right to Work Committee.
PRESENTATION CENTER 4/12/23





IBEW POLICY BRIEF

Chapter 10: Transportation

The IBEW sees the electrification of the transportation sector as a significant growth area for current and future members. As such, the IBEW supports policies that ensure it will continue to provide union jobs with family-supporting wages and benefits.

According to the Inventory of U.S. Greenhouse Gas Emissions and Sinks 1990–2021 (the national inventory that the U.S. prepares annually under the United Nations Framework Convention on Climate Change), transportation accounted for the largest portion of total U.S. GHG emissions in 2021 at 29 percent.⁵ Nearly 58 percent of all transportation sector emissions come from light-duty vehicles. The U.S. will only meet its emissions reduction targets by electrifying the transportation sector. This is one reason the IBEW sees transportation electrification as a vital opportunity to modernize the nation's infrastructure, reinvigorate the U.S. manufacturing sector, and provide good-paying union jobs.

EV Infrastructure Policies

The electrification of the nation's vehicle fleet will require significant investment in new charging infrastructure and substantial upgrades to electrical generation and transmission systems. The Edison Electric Institute (EEI) estimates that 9.6 million charging ports must be installed by 2030 to meet the growing demand for electric vehicles. This investment will include thousands of non-residential charging ports in office buildings, parking lots, on-street parking, and interstate service stops.

⁵ Fast Facts on Transportation Greenhouse Gas Emissions (October 31, 2023)
<https://www.epa.gov/greenvehicles/fast-facts-transportation-greenhouse-gas-emissions#:~:text=According%20to%20the%20Inventory%20of,U.S.%20GHG%20emissions%20in%202021>

The IBEW supports policies that ensure contractors use appropriately qualified and trained electricians on all federally funded electric vehicle charging infrastructure projects. Such policies include requirements for electricians to be trained and certified by the Electric Vehicle Infrastructure Training Program (EVITP). EVITP certification requirements ensure that federally funded EV charging infrastructure is built out quickly, efficiently, and cost-effectively. IBEW has already certified over 25,000 electricians through EVITP, and more are being certified continuously nationwide.

Strong labor standards like those outlined in EVITP are crucial to creating a pipeline of electricians and other skilled construction labor to build a low-carbon energy infrastructure, while the associated Buy America requirements are helping to jumpstart our nation's manufacturing sector, putting Americans to work. These requirements ensure contractors building EV charging infrastructure have a competent workforce that can provide an efficient and cost-effective project.

The IBEW further supports policies allowing electric utility companies to build charging stations in their service areas including rural and historically disadvantaged communities.

The IBEW supports inclusion of EVITP requirements in all future regulations related to electric vehicle charging infrastructure.

Transmission Required to Support EV Network

The IBEW also supports investments in significant upgrades to the electric grid and other electrical generation improvements. Grid investment will also be necessary to support the millions of charging stations installed in the coming years. In addition, the United States will need to invest \$30-90 billion in electric transmission above current investments and generate 70-200 gigawatts in additional power generation to meet electrical demand by 2030.

The IBEW supports federal policies that will facilitate the construction of new transmission lines. Our advocacy efforts include "right-sizing" by incentivizing transmission capacity development over current market demands. The IBEW also recognizes the need for permitting reform to make it easier to build transmission lines. Without adequate transmission infrastructure, the U.S. will continue to fall behind in delivering renewable energy from solar and wind-heavy regions to population centers.

Railroad Policies

The IBEW supports infrastructure investments that include funding for high-speed rail and the electrification of our nation's railroad network. IBEW policies support existing Amtrak routes and the creation of new networks. The electrification of our railroad network would modernize the current system and reduce greenhouse gas emissions. In addition, the IBEW supports investment in public transportation systems including subways, light rail, and commuter rail. World-class public transportation systems would help reduce the number of cars on the road, lowering emissions while improving local economies and creating family-supporting jobs.

Congress must ensure rail investments protect, preserve, and grow good-paying union jobs. Diversity of transportation can handle many of the hard questions we face, including limited access to vital services and lack of opportunities for many in rural America.

The IBEW is opposed to efforts in the railroad industry to place profits above the safety of IBEW railroad members. The IBEW advocates for the ability of employers to pursue precision, profitability, and efficiency in operations. However, Class I freight rail carriers have proven Precision Scheduled Railroading (PSR) is not a lean or streamlined business model. Instead, PSR is a dangerous cost-cutting scheme to lower operating ratios and appease investors through shareholder value resulting from devastating cuts to the workforce and degradation of the industry's safety culture.

IBEW supports the REEF Act (Railroad Employee Equity and Fairness Act). This bipartisan bill would eliminate sequester cuts to railroad unemployment and sickness benefits that have unfairly shortchanged railroad workers and their families for over a decade.

IBEW railroad workers are critical to keeping the passenger and freight rail network safe and our economy moving. They deserve to access the full value of the benefits they have earned. Currently, Railroad Unemployment Insurance Act (RUIA) benefits are the only federal unemployment insurance and sickness benefits program subject to sequestration. No other American's unemployment, disability, or sickness benefits are subject to the same cuts. The IBEW urges Congress to pass the REEF Act to enact this bipartisan and common-sense reform.

Rail Safety

With over 1,000 freight rail derailments annually and worsening safety records, the IBEW urges Congress to pass a comprehensive rail safety bill to address persistent industry problems and prevent further harm to communities and workers. We urge Congress to support the bipartisan Railway Safety Act as amended and approved recently by the Senate Committee on Commerce, Science, and Transportation. This bill would prohibit railroads from placing impossible time constraints on railcar and locomotive inspectors and require frequent locomotive and railcar safety inspections.

IBEW leadership has worked hard to secure four sick days for our Class I railroaders. It acknowledges this massive accomplishment but understands members deserve far more. The IBEW supports administrative and congressional action to provide all railroaders with at least seven paid sick leave days. The lack of this benefit is appalling, especially with approximately 43 percent of the workforce furloughed.

The industry has exacerbated this issue by implementing Precision Scheduled Railroading (PSR). Before this operating model, railroaders in severe need could "call in" without pay. Now, railroaders cannot exercise their right to utilize their health care benefits, and management disciplines workers for taking this action. As a result, railroaders are left without any time off to tend to their families and personal needs. Furthermore, rail workers are often forced to work overtime because of the short staffing of qualified electrical workers.

The 117th Congress proposed H. Con. Res. 119, aiming to grant railroad workers seven days of paid sick leave, but the bill did not pass. Despite this setback, the IBEW continues to urge support for initiatives advocating paid sick leave for rail workers. IBEW supports the Freight Rail Workforce Health and Safety Act, the Rail Worker and Community Safety Act, and the Healthy Families Act.

Railroad Decarbonization

The IBEW strongly supports the Biden-Harris administration's ambitious goals to confront global climate change. Electrifying the U.S. rail network is the most promising means of achieving one of these goals: net-zero rail emissions by 2050. Globally, many countries, including those considered adversaries of the U.S., have proved the expansion of rail electrification can reduce emissions in the transportation sector.

- Electrified rail is the most energy-efficient rail propulsion technology
- Electrification of the rail network would allow the utility's new transmission corridors to modernize and integrate the grid further
- Electrification of the rail network would allow utility companies to connect renewable energy projects like solar and wind farms to the grid and transmit electricity virtually anywhere connected by the rail network
- Railroads could sell excess electricity back to utility companies
- Railroads can reach cost-sharing arrangements with cable and internet companies who could use railroads' rights-of-way to expand their networks and bring high-speed internet to virtually every part of the U.S.

Due to the inevitable shift to electric rail, there will be an increased demand for electricians to maintain electric locomotives and the catenary system. These electricians will need training to ensure they are qualified.



The IBEW already partners with utility companies and electrical contractors to provide world-class training to ensure workers are qualified and equipped with the skills necessary to perform their duties at an exceptional level. IBEW apprenticeship programs provide flexible training that combines job-related technical instruction with on-the-job experience, allowing apprentices to earn while they learn. Upon completing a multi-year apprenticeship, IBEW electricians are among the world's best-trained and most qualified electricians. They remain the most qualified workforce to modernize our rail systems.

Pending Priorities

- Applying the Electric Vehicle Charging Infrastructure Training Program (EVITP) credential to any program that incentivizes the buildout of electric vehicle supply equipment
- Ensuring contractors must compete for work based on who can best train, equip, and manage a construction crew by applying Davis-Bacon prevailing wages on projects
- Honoring the safety standards, training programs, compensation, and benefits that workers are entitled to through registered apprenticeship programs
- Including those who have historically faced barriers to employment as prospective job candidates by promoting innovative workforce policies such as Community Benefits Agreements

- Opposing railway labor law carve-outs by establishing periodic locomotive inspections as necessary for the safe operations of locomotives to be completed by qualified mechanical inspectors only
- Supporting passage of the Railroad Employee Equality and Fairness (REEF) Act that would end sequestration on railroad unemployment and sickness benefits
- Enforcing Buy America conditions on rolling stock
- Advocating for all existing programs, DERA, FHWA congestion mitigation, and air quality improvement grants, and any rail or FTA infrastructure grants provided federal dollars to have high road labor standards, in the absence of an all encompassing federal dollar labor standard (Davis-Bacon coverage does not constitute high road labor standards in the rail industry)
- Veterans who are currently working as railroaders covered under the Railway Labor Act, should be entitled to sickness and workers compensation benefits without disruption of their existing Military Retirement and or Military Reservist Pay
- The IBEW has advocated for various high road labor standards in the rail industry including:
 - Davis-Bacon prevailing wages and benefits
 - PLAs for construction and maintenance
 - No mandatory arbitration
 - Strong worker classification standards to avoid misclassification
 - Ban on use of temporary staffing agencies
 - Explicit neutrality policy on all collective bargaining
 - 13c protections for transit workers
 - RLA protections for workers
 - No displacement of workers already employed in the sector because of federal investment
- Ensuring a robust and competitive domestic shipbuilding industry is a critical policy priority as it directly contributes to the creation and preservation of skilled jobs, fosters economic resilience, and bolsters national security by maintaining a self-reliant and strategically positioned maritime infrastructure

Chapter Resources

Hyperlink	URL	QR
Transportation Funding in the Bipartisan Infrastructure Law (BIL) Resources:		
DOT RAISE tool	https://usdot.maps.arcgis.com/apps/dashboards/d6f90dfcc8b44525b04c7ce748a3674a	
Electric Vehicle Infrastructure Resources:		
Guidance Memo NEVI	https://www.fhwa.dot.gov/environment/alter-native-fuel-corridors/nominations/90d_nevi_formula_program_guidance.pdf	

Government Affairs Department Points of Contact

Danielle Eckert Danielle_Eckert@ibew.org	Director of Government Affairs
Erica Fein Erica_Fein@ibew.org	Manufacturing, Trade & Immigration
Stephanie Lezcano Stephanie_Lezcano@ibew.org	Transportation & Government Employees
Jeremy Ross Jeremy_Ross@ibew.org	Construction & Apprenticeships



**900 7th Street NW
Washington, DC 20001**



202-728-6046



governmentaffairs@ibew.org



IBEWGov.org



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS

GOVERNMENT AFFAIRS



Scan the QR code below to access the current digital version of the Government Affairs Policy Brief



2024 POLICY BRIEF