



**INTERNATIONAL
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LONNIE R. STEPHENSON
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January 10, 2022

VIA EMAIL

The Honorable Polly Trottenberg
Deputy Secretary
U.S. Department of Transportation
1200 New Jersey Avenue SE
Washington, DC 20590

The Honorable Kelly J. Speakes-Backman
Principal Deputy Assistant Secretary
U.S. Department of Energy
1000 Independence Avenue SW
Washington, DC 20585

**Re: IBEW Comments on Docket No. 2021-0015, Buy America
Request for Information**

Dear Deputy Secretary Trottenberg and Principal Deputy Assistant Secretary Speakes-Backman:

The International Brotherhood of Electrical Workers (IBEW) appreciates the opportunity to respond to the U.S. Department of Energy and U.S. Department of Transportation's (the "Agencies") Buy America Request for Information (RFI).¹ These comments are submitted in response to the Agencies' request for data and information on understanding the capability and opportunities for American workers to manufacture, assemble, install, and maintain electric vehicle (EV) charging infrastructure. In addition, we outline policies that we believe will further the Administration's goal of accelerating the deployment of EV charging stations in a way that will create good-paying, union jobs to move us forward on the path toward a clean transportation future.²

The IBEW is a labor organization representing approximately 775,000 active and retired members. IBEW members work sectors that will play an integral part in the buildout of a national electric vehicle charging network, to include utilities, construction, and manufacturing. The IBEW recognizes the vital role electric vehicles will play in meeting the Administration's goals to combat climate change, improve air quality, address racial equity, and create good, union jobs.

Furthermore, as the IBEW is dedicated to greater collaboration among stakeholders to achieve these goals, the IBEW joined the National EV Charging Initiative in 2021. The National EV Charging Initiative represents an unprecedented coalition of 24 organizations representing working people, automakers, utilities, suppliers, investors, and public interest advocates working together to spur construction of the national EV charging network. Through its work with the

¹ Buy America Request for Information, Notice, FHWA Docket No. 2021-0015, 86 Fed. Reg. 67115 (November 24, 2021).

² White House Fact Sheet: Biden Administration Advances Electric Vehicle Charging Infrastructure, <https://www.whitehouse.gov/briefing-room/statements-releases/2021/04/22/fact-sheet-biden-administration-advances-electric-vehicle-charging-infrastructure/> (April 22, 2021).



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Charging Initiative, the IBEW seeks to ensure the widespread adoption of the clean transportation technology of tomorrow while creating thousands of good jobs that will help rebuild the middle class.

As the EV industry faces unprecedented growth, it is of the utmost importance that the Agencies seize this opportunity to establish strong standards for EV charging infrastructure. To protect the public investment in EV charging, it is essential that this equipment is manufactured, assembled, and installed by the most skilled, trained professionals in the field.

I. Installation should be performed by a properly trained and certified American workforce

First, the IBEW encourages the Agencies to establish minimum standards for the safe and reliable nationwide expansion of the electric vehicle charging network, including standardized certification for electric vehicle charging network installers, as well as a requirement that all charging stations, charging docks, and recharging points be installed by highly trained, credentialed electricians.

In 2011, the IBEW and other interested stakeholders worked collaboratively to develop training standards that would ensure that EV charging stations were installed safely and reliably. The curriculum evolved into the Electric Vehicle Infrastructure Training Program (EVITP), a non-profit established to provide a structured platform to facilitate training and certification for electric vehicle supply equipment (EVSE) installation in all markets; industrial, commercial, and residential. By developing the curriculum, EVITP successfully created a nationally recognized training standard for EVSE installation, commissioning, and maintenance and an industry-standard in the proper credentialing of EVSE electricians. The EVITP program is one-of-a-kind; the curriculum simply does not have a suitable comparison within the industry.

EVITP addresses the technical requirements, safety imperatives, and performance integrity of industry partners and stakeholders. The comprehensive curriculum covers EVSE installation procedures for residential, commercial, and industrial applications, with a syllabus that includes:

1. AC EVSE level one, two and high power.
2. DC Fast Charging, both high power and overhead.
3. Wireless charging.
4. EVSE communications and networks.
5. The National Electrical Code (NEC).
6. Load Calculations based on the National Electrical Code.



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A foundational core and key to the success of the EVITP program is the eligibility requirements. In order for an individual to be accepted into the program, the individual must have the foundational electric knowledge of a journey-level electrician, he or she must meet following requirements:

1. In states or local jurisdictions where required, electricians must be licensed or certified.
2. In other states or local jurisdictions, electricians must have completed at least 8,000 hours of documented on-the-job training.

These eligibility requirements ensure that the EVITP training builds on the existing platform of qualified electricians' extensive knowledge, skills, and experience. By requiring EVITP certification, the Agencies can avoid the expected consequences of substandard electrical work, including the ramifications of improper EVSE installation, which can be catastrophic.³ The risks associated with the lack of best practice standards within the industry can be mitigated by requiring these investments to be made through the deployment of a qualified workforce. EVITP certification will ensure that a qualified, American workforce will perform this work, and that the jobs created are safe, good-paying, family-sustaining jobs. As such, the IBEW recommends that the Agencies require that EV developers use EVITP-trained electricians to construct and install EV charging infrastructure.

II. Installation should be subject to responsible contractor requirements

In addition to requiring EVITP certification, the Agencies should adopt responsible contracting requirements, which will ensure that the infrastructure is developed by responsible companies that have sufficient qualifications, resources and personnel needed for successful project delivery. In addition, by ensuring that EV developers have the proper certifications to perform work in a given jurisdiction, adopting a responsible contractor policy can also have the effect of increasing the use of domestic labor.

The IBEW therefore recommends that the Agencies implement a responsible contractor policy that requires, at minimum:

³ The science, technology, and application of electricity are constantly changing and expanding. Faulty installations often prove to be extremely expensive and hazardous. Without proper training, workers in this high-hazard industry run the risk of electrical shocks, burns and/or electrocution. In fact, electrocutions are the third leading cause of death in construction. See Center for Construction Research and Training (CPWR), Construction Solutions, <http://www.cpwrconstructionsolutions.org/hazard/1235/electrical-shocks-burns-and-or-electrocution.html>; CPWR, The Construction Chart Book: The US Construction Industry and Its Workers, at 43, 6th ed. (Feb. 2018), https://www.cpwr.com/wp-content/uploads/publications/The_6th_Edition_Construction_eChart_Book.pdf.



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1. Labor standards compliance self-certification and exclusion of serial law violators: contractor must attest, under penalty of perjury, that they have had no project defaults or law violations of any kind that have resulted in penalties, back pay, etc. over a specified amount (i.e., \$5,000) within the last three (3) years.
2. Use of Registered Apprenticeship Programs: require contractors to participate in Registered Apprenticeship Programs, which will ensure all construction work is performed by appropriately skilled and trained personnel, leading to successful and timely project delivery.
3. Self-certification by contractor that they possess all necessary licenses, registrations, certificates or permits as required by applicable state or local law.
4. Self-certification by contractor that they possess all technical and industry-specific qualifications, equipment, financial resources, and personnel needed to successfully complete the project.
5. Monitoring and enforcement provisions, including disqualification/debarment and penalties for those that submit false or inaccurate information.

III. The Agencies should give full priority and preference to developers who commit to domestic manufacturing and assembly

The IBEW has a significant footprint in the North American manufacturing sector. The diverse list of products manufactured by IBEW members includes electric motors and generators, advanced energy components such as light fixtures, household appliances, broadcasting and entertainment equipment, telecommunications equipment, and scientific and medical equipment.

The experiences of the IBEW's members, and the labor movement more broadly, show that trade policy over the past several decades has been a significant factor in the sharp decline of domestic manufacturing. As such, the IBEW supports a national manufacturing policy based on public investment in new technologies. Such a policy should take advantage of North American energy abundance, maximize the production of clean energy goods, and ensure rising pay.

The IBEW believes that the Administration's commitment to Buy America is a vital step towards ensuring investment in good, union jobs, and a rejuvenated domestic manufacturing sector. To ensure that domestic workers and the public receive the greatest benefit from the investments in EV charging infrastructure, the



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Agencies should give full priority and preference in contracting to developers who commit to domestic manufacturing and assembly. In addition, any waivers or exemptions that might otherwise apply should be eliminated.

IV. Conclusion

Widespread adoption of electric cars, buses, trains, and trucks depends on public trust in the charging network, and reports of fires, injuries, and property damage would surely undermine consumer confidence. The use of EVITP training, along with the imposition of a responsible contractor policy and preferences for domestic manufacturing, will protect buyers and end-users from hazards posed by marginally trained technicians. Adopting these recommendations will protect public safety and the public investment in EVs, maintain the integrity of the electrical distribution network and ensure the viability of a key advancement in the transportation technology of the future – all while ensuring that the jobs created are good-paying, union jobs filled by American workers.

Sincerely yours,

A handwritten signature in black ink that reads "Lonnie R. Stephenson". The signature is fluid and cursive.

Lonnie R. Stephenson
International President

LRS:jrl