

**MEMORANDUM OF UNDERSTANDING
BETWEEN THE UNITED STATES GENERAL SERVICES ADMINISTRATION
AND THE UNITED STATES DEPARTMENT OF LABOR**

I. BACKGROUND

In November 2021, Congress passed, and the President signed, the Bipartisan Infrastructure Law (“BIL”), a once-in-a-generation investment in America’s infrastructure and competitiveness. In August 2022, Congress passed, and the President signed, the Inflation Reduction Act (“IRA”). These investments are critical components of the Biden-Harris Administration’s climate and job quality agenda. The U.S. General Services Administration (“GSA”) plans to deliver transformative benefits to American families, workers, businesses, and communities.

These laws will dramatically increase jobs for the next 10 years—across a wide range of construction, maintenance, manufacturing, and operations occupations. An expansion of good-paying union jobs, with a commitment to clear and accessible pathways into those jobs, will create economic prosperity in communities and support a more sustainable, resilient, and equitable economy.

There is an urgent need to create clear pathways to high-quality jobs as these infrastructure laws unlock billions of dollars in new GSA investments, which will in turn spur billions in private sector investment. These pathways must be equitable, given persistent occupational segregation across many sectors of the economy, for example in construction-related industries.¹ Occupational segregation results when groups, facing systemic barriers to employment, are concentrated in lower paying, more precarious, less safe, and non-unionized jobs.

To ensure these new resources create good-paying, high-quality jobs with the free and fair chance to join a union—and that America’s workers have everything they need to deliver on this historic investment—GSA and U.S. Department of Labor (“DOL”) agree that there is a need for highly aligned efforts to educate and encourage industry to attract, train, retain, and empower a diverse, qualified, well compensated workforce for the jobs that will result from federal investments.

II. PURPOSE

The purpose of this Memorandum of Understanding (“MOU”) is to promote cooperative efforts between GSA and DOL to create and support pathways to millions of high-quality, good-paying

¹ See <https://www.dol.gov/sites/dolgov/files/WB/media/BearingTheCostReport.pdf>, https://www.dol.gov/sites/dolgov/files/WB/equalpay/WB_issuebrief-undstg-wage-gap-v1.pdf, and <https://equitablegrowth.org/factsheet-u-s-occupational-segregation-by-race-ethnicity-and-gender/>

jobs with the free and fair chance to join a union. This cooperative effort to grow good jobs (defined in Appendix A) will emphasize efforts to attract, train, and retain a diverse and skilled workforce and engage underserved communities in these opportunities. Underserved communities are persons adversely affected by persistent poverty, discrimination, or inequality, including Black, Indigenous, people of color; LGBTQ+ individuals; women; immigrants; veterans, service members and military spouses; individuals with disabilities; opportunity youth; individuals in rural communities; individuals without a college degree; individuals with or recovering from substance use disorder; and justice-involved individuals.

III. OBJECTIVES

The agencies enter into this MOU to leverage the resources and expertise of both agencies to ensure the actions necessary to meet shared goals related to expanding equitable access to high quality jobs for workers and communities. This MOU supports both agencies' efforts, where permissible and consistent with available appropriations and authorities, to:

- Define and promote job quality as an essential building block of an equitable economy that supports workers and families, builds communities, and makes companies more competitive by integrating job quality, labor standards, and equal employment opportunity standards across all GSA funding mechanisms.
- Leverage Federal project spending to create work opportunities allowing for more good jobs that are accessible to all workers; are safe and healthy; offer competitive, stable, and predictable wages; provide retirement plans, paid leave, and other family-sustaining benefits that promote economic security and mobility; and offer workers a free and fair opportunity to join or form a union.
- Create a more diverse workforce through intentional work at both agencies to address occupational segregation and give a more diverse workforce access to these higher-paying good jobs.
- Engage stakeholders and develop strategic partnerships with organizations that can draw on all of America's strength, talent, and skill, including coalitions that represent underserved communities, as well as other populations facing systemic barriers to employment.
- Promote proven workforce development strategies, such as pre-apprenticeship programs, Registered Apprenticeship programs, and labor-management partnerships.
- Encourage State, local, and Tribal government partners as well as private sector partners in industry or civil society entities including employers, labor unions, tradeswomen organizations, education and training providers, the public workforce system, and others,

to identify, train, employ, reskill, and retain the diverse workforce needed to build and operate the country's infrastructure.

IV. AUTHORITIES

As GSA and DOL collaborate, each will draw on their unique authorities and funding. DOL will draw on its respective strength and experience in encouraging high-quality jobs and its investments in equitable workforce development. GSA will draw on its strength and experience in federal acquisition and construction activities that create new opportunities for American workers.

General Services Administration:

- Acquisition authority including the ability to establish governmentwide contracts per 40 U.S.C. [§ 501\(b\)\(1\)\(A\)](#), 40 U.S.C. [§ 502\(a\)](#), and 41 U.S.C. [§ 152\(3\)](#).
- Procure and supply personal property and nonpersonal services for executive agencies, including utilities, per 40 U.S.C. [§ 501\(b\)\(1\)](#).
- Construct and alter public buildings per 40 U.S.C. [§ 3305](#).
- Acquisition and management of property per [40 U.S.C. § 581\(c\)](#).
- Outleasing or leasing space for commercial or other purposes, per 40 U.S.C. [§ 581\(h\)\(1\)](#).
- Contract for and supervise the construction of a building or project on behalf of another federal agency, mixed-ownership Government corporation or the District of Columbia, per 40 U.S.C. [§ 583](#).
- Enter into leases per 40 U.S.C. [§ 585](#).
- Provide guidance, assistance, and oversight to federal agencies for the development of childcare centers per 40 U.S.C. [§ 590](#).
- Establish regulations to carry out GSA's authority per 40 U.S.C. [§ 121\(c\)](#).
- Title IV of division J of the Infrastructure Investment and Jobs Act , U.S. Public Law 117-58, also known as the Bipartisan Infrastructure Law, which provides funding for the modernization of land ports of entry on the northern and southern border of the United States.
- Provide technical resources, training, and outreach support to foster positive community development, per GSA's Good Neighbor Program.
- Convey real property and related personal property, or interests therein, per [section 412](#) of the GSA General Provisions, Consolidated Appropriations Act, 2005, Public Law 108-447, 118 Stat. 2809, 3259 (Dec. 8, 2004).
- Federal Management Regulation Bulletin C-2023-01, Clarifying the Process For Meeting Federal Space Needs

Department of Labor:

- The purpose of the Department of Labor shall be to foster, promote, and develop the welfare of the wage earners of the United States, to improve their working conditions, and to advance their opportunities for profitable employment. 20 U.S.C. § 501.
- Enforcement of federal wage and labor standards through the Wage and Hour Division including: 29 U.S.C. §§ 201, et seq.; 29 U.S.C. §§ 2611-2654; 40 U.S.C. §§ 3141 et seq.; 41 U.S.C. §§ 6701 et seq.; *see also* 29 C.F.R. § 5.1 (“Related Acts”); Executive Order (E.O.) 13658, Establishing a Minimum Wage for Contractors; E.O. 13706, Establishing Paid Sick Leave for Federal Contractors; E.O. 14026, Increasing the Minimum Wage for Federal Contractors; IJJA Section 41101; 41 U.S.C. §§ 6501-6511.
- Enforcement of safety and health standards through the Occupational Safety and Health Administration including, Occupational Safety and Health Act of 1970, 29 U.S.C. § 651 et seq.
- Expertise of the Office of Federal Contract Compliance Programs in enforcing labor standards in Federal contracts for employers doing business with the Federal government including: E.O. 11246, Sec. 205 as amended, Equal Employment Opportunity, at 41 C.F.R. parts 60-1, 60-2, 60-4, and 60-20; Public Law (P.L.) 81-152, 63 Stat. 377; Section 503 of the Rehabilitation Act, 29 U.S.C. § 793 and 41 C.F.R. part 60-741; Section 4212 of the Vietnam Era Veterans’ Readjustment Assistance Act (VEVRAA), 38 U.S.C. § 4212 and 41 C.F.R. part 60-300; .
- Programs administered by the Office of Labor-Management Standards to promote labor organization democracy, financial integrity, and transparency, and highlight the important role unions play in the modern American economy including: E.O. 13496, Notification of Employee Rights Under Federal Labor Laws; 29 U.S.C. §§ 401-531.
- Workforce development programs funded and administered by the Employment and Training Administration to support job training and workforce development services including: 29 U.S.C. § 3101, *et seq.*; 29 U.S.C. § 50; 29 U.S.C. § 49, *et seq.*; 19 U.S.C. § 2271, *et seq.*
- Programs operated by the Women’s Bureau including those focused on increasing opportunities for women in non-traditional occupations including: 29 U.S.C. § 13.
- Programs operated by the Office of Disability Employment Policy that focus on increasing the number and quality of employment opportunities for people with disabilities including: 29 U.S.C. § 557b.
- Programs operated by the Veterans’ Employment and Training Service that assist eligible veterans, service members and military spouses in securing employment including: 38 U.S.C. §§ 4102A, 4103A, and 4104; and 10 U.S.C. § 1144; eligible homeless veterans including homeless women veterans and homeless veterans with

children, and veterans at risk of homelessness who are transitioning from certain institutions, including 38 U.S.C. §§ 2021, 2021A, and 2023; and providing assistance to any person with respect to the employment and reemployment rights and benefits to which such person is entitled including: 38 U.S.C. §§ 4301-4335.

V. JOINT RESPONSIBILITIES OF THE AGENCIES

A. Creating Good Jobs: Subject to the availability of appropriations and other relevant legal authority, the agencies will work together to support high-quality career pathways into good jobs for all workers. Specifically, GSA and DOL will collaborate to:

- Leverage timely data and forecasting tools on construction projects and workforce needs/trends and other relevant sectors, such as job availability, occupational trends and wage data.
- Jointly identify common barriers to good jobs that workers face and design solutions for addressing them, with an emphasis on underserved communities that face systemic barriers to education, training, and employment.
- Proactively develop, integrate, and support strategies that aim to advance positive impact for underserved communities where federal projects and facilities are located. Solutions may involve closing gaps in education and training offerings, strategic employer engagement, offering wraparound supportive services (e.g., child and adult care, transportation assistance, cash assistance, etc.) to reduce common barriers to employment, and increasing underserved worker opportunity to join or form a union and engage in collective bargaining.
- Collaborate to build the capacity of federal, State, Tribal, and local partners to support training programs for good jobs, where workers have the free and fair opportunity to join and form a union, including the public workforce system and local training providers.

B. Strategic Partnerships and Stakeholder Engagement: Subject to available authorities and appropriations, the agencies will support engagement with organizations and coalitions that can help connect workers to good-paying jobs, including organizations that represent workers who are underserved in a public building² jobs, starting with construction-related jobs, so that these workers can be engaged in the design and

² See 40 U.S.C. § 3301(a)(5).

implementation of investment strategies. Specifically, the agencies will collaborate to:

- Jointly prioritize public participation and community engagement for key construction projects during project planning to identify workforce needs.
- Jointly support capacity building and visibility for community stakeholders related to employment pathways for diverse and non-traditional labor forces.
- Jointly engage non-profit partners and labor unions around workforce, job quality, energy, and infrastructure investments on how they can support and amplify the agencies' efforts.
- Document and disseminate best practices and profiles of success in national, state, and local efforts that are addressing barriers to access to, and retention and progression in, quality jobs in infrastructure.
- Any other items identified as mutually agreeable.

C. Job Quality, Standards and Metrics, Workplace Equity and Inclusion: The agencies will collaborate to:

- Integrate high labor standards into GSA's construction and other projects and procurement processes.
- Require compliance with applicable prevailing wage requirements, including but not limited to Davis-Bacon and Related Acts' labor standards as permitted by statute.
- Develop and implement best practices for creating fair and safe workplaces that promote the recruitment and retention of underserved populations in accordance with the GSA and DOL Mega Construction Project MOU.
- Require compliance with the equal employment opportunity requirements of Executive Order 11246, as amended, Section 503 of the Rehabilitation Act, and Vietnam Era Veterans' Readjustment Assistance Act.
- Encourage the utilization of apprentices, trainees and journeypeople across all GSA construction projects.
- Remove barriers to allow for a free and fair opportunity to join a union and collective bargaining unit.
- Address workplace harassment and discrimination by requiring contractors to comply with existing equal employment opportunity standards.
- Identify, educate, and encourage contractors to adopt best practices for accountability and prevention, including anti-harassment training and education.
- Consistent with the Paperwork Reduction Act, jointly design evaluation plans and establish or identify methods of capturing key job quality characteristics for construction jobs as well as worker and community demographics from government statistical surveys, registered apprenticeship data, Davis-Bacon

- reporting or other sources, as a way to measure success of joint efforts.
- Any other items identified as appropriate as mutually agreed to.

D. Equitable and Effective Workforce Development: Subject to available authorities and appropriations, the agencies will support the creation and expansion of high-quality and equitable workforce development programs that connect new, incumbent, and displaced workers with quality construction jobs. Specifically, the agencies will collaborate to:

- Link GSA IRA and BIL-related construction projects to necessary trades to identify workforce needs in local communities and promote these needs to key stakeholders.
- Update policy related to site selection for GSA projects in federally owned and leased space to promote equitable opportunity for underserved communities.
- Support the development and expansion of registered apprenticeship and pre-apprenticeship in construction and other relevant occupations.
- GSA and DOL will seek to engage with diverse industry stakeholders to prioritize occupations and job tasks of interest that will ensure a workforce skilled and prepared to perform construction and other relevant projects.
- As a part of sector-based workforce investments, promote best practices that create and expand training programs to support long-term careers in construction and other relevant sectors.
- Share best practices on how the construction industry and GSA can partner with the workforce system to support mutual goals, including workforce boards, community colleges, sector partnerships, registered apprenticeship programs, and career and technical education programs.
- Share best practices on how the construction industry and GSA track and report metrics related to job creation and workforce needs.
- Provide insight and guidance to interagency working groups on workforce gaps and policies to address these gaps that should be included in workforce funding across all agencies.
- Any other items identified as appropriate as mutually agreed to.

VI. EFFECTIVE DATE AND TERMINATION

This Memorandum of Understanding is effective on the date of the last signature and shall continue in force until terminated. It may be terminated by either agency by giving 90-day written notice to the other agency. Its provisions will be reviewed annually and amended or supplemented in writing as may be agreed upon mutually.

VII. EFFECT

Nothing in this Memorandum of Understanding shall be interpreted as limiting, superseding, or

otherwise affecting either agencies' normal operations or decisions in carrying out its statutory or regulatory duties, and all efforts described shall be carried out consistent with the law. This Memorandum of Understanding does not limit or restrict either agency from participating in similar activities or arrangements with other entities.

This Memorandum of Understanding is an internal governmental agreement designed to improve the efficiency of government and does not confer any rights on any other parties.

This Memorandum of Understanding does not obligate any funding of the agencies. All activities under this Memorandum of Understanding are subject to the availability of funds.

VIII. POINTS OF CONTACT

General Services Administration:

Krystal Brumfield
Chief Acquisition Officer
Associate Administrator
Office of Government-wide Policy

Department of Labor:

Lafe Solomon
Senior Counsel
Office of the Solicitor

Teresa Acuna
Deputy Director
Good Jobs Initiative

Rukku Singla
Policy Advisor
Good Jobs Initiative

IX. AUTHORIZING SIGNATURE AND DATES

The signatories below warrant and represent that they have the competent authority on behalf of their respective agencies to enter into the obligations set forth in this Agreement.

General Services Administration:

Robin Carnahan
Administrator
General Services Administration



Signature

8/30/2023

Date

Department of Labor:
Julie A. Su
Acting Secretary
Department of Labor



Signature

August 30, 2023

Date

Appendix A

The Departments of Commerce and Labor have partnered to identify a common definition on what comprises a good job. These eight principles create a framework for workers, businesses, labor unions, advocates, researchers, state and local governments, and federal agencies for a shared vision of job quality.

Recruitment and Hiring: Qualified applicants are actively recruited – especially those from underserved communities. Applicants are free from discrimination, including unequal treatment or application of selection criteria that are unrelated to job performance. Applicants are evaluated with relevant skills-based requirements. Unnecessary education, credentials and experience requirements are minimized.

Benefits: Full-time and part-time workers are provided family-sustaining benefits that promote economic security and mobility. These include health insurance, a retirement plan, workers' compensation benefits, work-family benefits such as paid leave and caregiving support, and others that may arise from engagement with workers. Workers are empowered and encouraged to use these benefits.

Diversity, Equity, Inclusion, and Accessibility (DEIA): All workers have equal opportunity. Workers are respected, empowered, and treated fairly. DEIA is a core value and practiced norm in the workplace. Individuals from underserved communities do not face systemic barriers in the workplace. Underserved communities are persons adversely affected by persistent poverty, discrimination, or inequality, including Black, Indigenous, people of color; LGBTQ+ individuals; women; immigrants; veterans; individuals with disabilities; individuals in rural communities; individuals without a college degree; individuals with or recovering from substance use disorder; and justice-involved individuals.

Empowerment and Representation: Workers can form and join unions. Workers can engage in protected, concerted activity without fear of retaliation. Workers contribute to decisions about their work, how it is performed, and organizational direction.

Job Security and Working Conditions: Workers have a safe, healthy, and accessible workplace, built on input from workers and their representatives. Workers have job security without arbitrary or discriminatory discipline or dismissal. They have adequate hours and predictable schedules. The use of electronic monitoring, data, and algorithms is transparent, equitable, and carefully deployed with input from workers. Workers are free from harassment, discrimination, and retaliation at work. Workers are properly classified under applicable laws. Temporary or contractor labor solutions are minimized.

Organizational Culture: All workers belong, are valued, contribute meaningfully to the organization, and are engaged and respected especially by leadership.

Pay: All workers are paid a stable and predictable living wage before overtime, tips, and commissions. Workers' pay is fair, transparent, and equitable. Workers' wages increase with increased skills and experience.

Skills and Career Advancement: Workers have equitable opportunities and tools to progress to future good jobs within their organizations or outside them. Workers have transparent promotion or advancement opportunities. Workers have access to quality employer- or labor-management-provided training and education.