



**MEMORANDUM OF UNDERSTANDING  
BETWEEN THE  
UNITED STATES DEPARTMENT OF LABOR  
AND THE  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

**I. BACKGROUND**

The work of protecting people and the environment is exactly that – it’s hard work. It requires a diverse, highly skilled workforce and must lead to the creation of good jobs. When done well, environmental protection catalyzes shared economic opportunity while protecting our nation’s natural resources and safeguarding public health. Today, empowered by the Infrastructure Investment and Jobs Act (also known as the Bipartisan Infrastructure Law), Inflation Reduction Act and other federal resources, the United States has the greatest opportunity in history to put Americans to work in good jobs through investments in protecting our communities, our environment and the planet. With these dual goals in mind, the U.S. Environmental Protection Agency and U.S. Department of Labor enter into this agreement to bolster their partnership to deliver on these goals for the American people.

To achieve these aspirations will require swift and coordinated action. Many of our nation’s environmental challenges require urgent solutions, and we will need a robust workforce that is prepared to carry out a historic transformation. Our country needs to move quickly to reduce greenhouse-gas emissions, clean up pollution and deploy clean-energy technologies. Additionally, we must take action to address the disproportionate vulnerability of low-income communities and communities of color to climate change while simultaneously dealing with the legacy pollution in these communities. The work of rectifying these injustices is our collective responsibility, and the federal government has prioritized environmental justice through an unprecedented whole-of-government approach. With the resources from the Bipartisan Infrastructure Law, Inflation Reduction Act and other federal investments, our nation is more equipped than ever to take action to protect the environment and advance environmental justice for current and future generations.

Importantly, every new investment to protect the planet will stimulate economic opportunity and create jobs in the “green economy.” With this opportunity, the EPA and DOL are committed to supporting good jobs in the green economy that are safe, free from discrimination and harassment, provide family-sustaining wages, offer benefits like paid leave and provide workers with the free and fair opportunity to form and join a union. In addition to being a transformative moment for addressing climate change, this must also be a transformative moment for supporting workers and local communities.

This is a historic opportunity to inspire today’s students to pursue careers in the green economy, upskill workers into higher paying jobs supporting climate priorities, meet the needs of American companies looking for skilled workers and ensure that Americans in every corner of the country have a role in tomorrow’s economy. This will require a commitment to addressing barriers to employment in addition to strong collaboration between partners at all levels of government and across sectors. With this spirit of innovation and collaboration, the EPA and DOL look forward to working together to seize this transformative opportunity for the United States.

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## **II. PURPOSE**

The purpose of this Memorandum of Understanding is to promote cooperative efforts between the Environmental Protection Agency and Department of Labor to promote good jobs (defined in Appendix A) that support the green economy and develop strong training and career pathways into these jobs for all workers. The environmental and climate sectors, or "green economy represents a wide range of industries and occupations that are essential to protecting the environment and human health, including but not limited to water preservation and protection, water infrastructure, clean energy, clean vehicles, environmental justice, environmental remediation, pollution prevention, climate adaptation, resilience, environmental engineering, environmental enforcement and other related fields. This partnership between the EPA and DOL will focus on expanding access to good jobs in the green economy for workers and meeting the workforce needs of American businesses – ensuring that the United States will continue to lead the world in protecting the planet and creating economic opportunity.

## **III. OBJECTIVES**

The EPA and DOL enter into this MOU to leverage the individual and combined resources and expertise of both agencies to meet common goals related to expanding equitable access to quality environmental jobs and promoting a strong environmental sector in the United States. Subject to the availability of appropriations and other relevant legal authority, this MOU supports EPA and DOL efforts, where permissible and appropriate, to:

- Strategically plan for the current and future workforce needs of the environmental sector to safeguard America's ability to respond to climate and environmental justice priorities, while meeting the needs of workers and American companies.
- Assist employers, labor unions, tradeswomen organizations, education and training providers, the public workforce system, state, tribal local governments and other partners in their efforts to identify, recruit, train, employ, mentor, upskill, reskill and retain a diverse, robust and highly skilled workforce to support environmental jobs.
- Define and promote job quality as an essential building block of an equitable economy that supports workers and families, builds communities and makes our companies more competitive – integrating job quality, labor standards and equal-employment opportunity standards across EPA investments.
- Attract a diverse workforce to careers in the environmental sector and endeavor to reduce occupational segregation in these jobs. Address systemic barriers to employment

to give all workers, including underserved<sup>1</sup> and underrepresented populations, the opportunity to contribute to, and benefit from, the green economy.

- Promote good jobs in the environmental sector – such as clean-water infrastructure, environmental remediation, construction, manufacturing, skilled trades, engineering and more – within DOL workforce education and training investments to complement EPA investments.
- Expand the capacity of American educational institutions and workforce-training providers to be able to prepare Americans to fill the millions of jobs that will be created to meet America’s climate, environmental justice and resilience goals.
- Leverage federal spending to expand opportunities for 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 choice to join or form a union.
- Seek opportunities to align, complement and mutually support workforce investments through language in Notices of Funding Opportunities and other agency guidance that recognizes the strategic relationship between EPA investments and labor priorities.
- Engage organizations that represent the interests of or provide services to underserved and underrepresented communities, especially those that face significant barriers to employment, such as returning citizens and opportunity youth, to develop solutions to increase employment and draw on all of America’s strength, talent and skill to bolster the green economy. Leverage these partnerships to support the design and implementation of proven education and training programs, supportive services and career pathways that lead to high-quality and in-demand jobs that employers need and are prepared to fill.

#### **IV. AUTHORITIES**

As the agencies collaborate, each will rely on its own legal authorities, joint authorities and available appropriations, including new authorities and programs under the Bipartisan Infrastructure Law and Inflation Reduction Act. Specific authorities that may include, but are not limited to, the following.

U.S. Environmental Protection Agency:

- Section 103(a) of the Clean Air Act, 42 U.S.C. 7403(a). Section 103(a) authorizes the EPA to encourage, cooperate with, and render technical services to individuals and public

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<sup>1</sup> As defined by DOL, 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.

and private entities to promote the coordination and acceleration of demonstrations and studies relating to the causes, effects, and prevention of air pollution. This provision also authorizes the EPA to conduct training for individuals in these areas.

- Sections 104(a) and (b) of the Clean Water Act, 33 U.S.C. 1254(a) and (b). These provisions authorize the EPA to encourage, cooperate with and render technical services to individuals, including the general public, as well as public and private sector entities to promote the coordination and acceleration of demonstrations, studies and training relating to the causes, effects, prevention and elimination of water pollution.
- Section 8001(a) of the Solid Waste Disposal Act, 42 U.S.C. 6981(a). This section authorizes the EPA to encourage, cooperate with and render technical services to individuals, as well as public and private sector entities, to promote the coordination of demonstrations, studies, training and public education programs relating to, among other things, the operation and financing of solid-waste management programs.
- Section 1442 of the Safe Drinking Water Act, 42 U.S.C. 300j-1. This section authorizes the EPA Administrator to develop, expand or carry out a program (which may combine training education and employment) for training persons for occupations involving the public health aspects of providing safe drinking water.
- Section 104(k)(7) of the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. 9604(k)(7). This section authorizes the EPA to provide training and technical assistance to individuals and organizations to facilitate the inventory, assessment, preparation and remediation of brownfields sites, including associated community involvement, as well as to provide grants for job training and technical assistance through an annual grant competition. Section 128(a)(1)(B) further provides for state or tribal brownfields response program grants to be used to assist small communities, tribes, rural areas and disadvantaged areas in providing such training and technical assistance.
- Infrastructure Investment and Jobs Act, Pub. L. 117-58, Section 50211 Water Infrastructure and Workforce Investments. Amends AWIA Section 4304, which directs the EPA, in consultation with the U.S. Department of Agriculture, to establish the Innovative Water Infrastructure Workforce Development program; expands the uses of grants provided in this program to include recruitment and promotion of diversity within the water sector, training for the water sector and activities to improve retention of water-sector employees; expands eligible grant recipients to include public works departments and agencies; requires the EPA to coordinate a federal interagency working group to address recruitment, training and retention of the water-sector workforce; requires the EPA in coordination with the federal interagency working group to report to Congress within two years of enactment on potential solutions to workforce recruitment, training and retention challenges in the water sector; authorizes appropriations of \$5 million annually for FY2022 through FY2026 Infrastructure Investment and Jobs Act, Pub. L. 117-58, Section 70010 Clean School Bus Program. As part of the Clean School Bus Program, this section authorizes the EPA to facilitate education and outreach to, among other things, “make available information regarding best practices, lessons learned, and technical and other information regarding ... workforce development, training, and

Registered Apprenticeships that meet the requirements under parts 29 and 30 of title 29, Code of Federal Regulations (as in effect on December 1, 2019).”

- Inflation Reduction Act, Pub. L. 117-169; Section 132 of the Clean Air Act, 42 U.S.C. 7432: Clean Heavy-Duty Vehicles. Directs the EPA to implement a grant and rebate program that, among other things, supports workforce development and training to support the maintenance, charging, fueling, and operation of zero-emission vehicles.
- Inflation Reduction Act, Pub. L. 117-169; Section 138 of the Clean Air Act, 42 U.S.C. 7438: Environmental and Climate Justice Block Grants. Authorizes the EPA to award grants to eligible entities, which include partnerships with community-based organizations, for workforce development activities that help reduce greenhouse gas emissions and other air pollutants to benefit disadvantaged communities, among other activities.

#### U.S. Department of Labor:

- 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. §§ 2001-2009; 29 U.S.C. §§ 2611-2654; 40 U.S.C. §§ 3141 *et seq.*; 15 U.S.C. §§ 1671-1677; 41 U.S.C. §§ 6701- 6707; 41 U.S.C. §§ 6501-6511; *see also* 29 CFR § 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.
- 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 CFR part 60-1 and part 60-4; Public Law (P.L.) 81-152, 63 Stat. 377; Section 503 of the Rehabilitation Act, 29 U.S.C. § 793; Section 4212 of the Vietnam Era Veterans’ Readjustment Assistance Act, 38 U.S.C. § 4212; 41 U.S.C. §§ 6701- 6707; 41 U.S.C. §§ 6501-6511.
- Programs administered by the Office of Labor-Management Standards to ensure that when federal funds are used to acquire, improve or operate a mass transit system that arrangements are in place to protect the interests of mass transit employees, embracing their rights to organize and collectively bargain, including 49 U.S.C. § 5333(b).
- 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 getting women into non-traditional occupations including: 29 U.S.C. § 13.
- Programs operated by the Office of Disability Employment Policy that focus on increased workplace success for people with disabilities including: 29 U.S.C. § 557b.
- Programs operated by the Veterans’ Employment and Training Service that assist qualified veterans, reservists, and National Guard members in securing employment including: 38 U.S.C. § 41; qualified 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.
- Tariff Act of 1930, E.O. 13126 (1999), Generalized System of Preferences, 19 U.S.C. § 2461 *et seq.*

## V. JOINT RESPONSIBILITIES OF THE EPA and DOL

- a. **Good Jobs in the Green Economy:** 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 in the environmental sector. Specifically, the EPA and DOL will collaborate to:
  - Jointly identify any common barriers to environmental jobs in the civilian labor force for addressing them, with an emphasis on underserved populations that face systemic barriers to education, training and employment.
  - Develop strategies to center environmental justice in the EPA’s programs, putting an emphasis on driving economic opportunity and good jobs, where workers have the free and fair opportunity to join unions and collectively bargain, to communities most significantly impacted by pollution and environmental injustice, recognizing the unique barriers these communities face to workforce training and employment. Solutions may involve closing gaps in education and training offerings, strategic employer engagement, and wraparound supportive services (e.g., child and adult care, transportation assistance, cash assistance, etc.).
  - Collaborate to build the capacity of federal, state, tribal and local partners to support training programs for environmental jobs, including the public workforce system and local training providers.
  - Explore opportunities to synchronize the EPA, DOL and other federal government funds to maximize investments in environmental job training programs.

- Collaborate with other federal, state and local partners working in American energy communities to ensure no community and no worker is left behind during America's energy transition.
  - Communicate the importance of good jobs in the green economy to stakeholders, and jointly identify messaging opportunities to elevate the positive relationship between protecting the environment and creating good jobs.
- b. Strategic Engagement:** Subject to the availability of appropriations and other relevant legal authority, the agencies will support strategic engagement with organizations and coalitions that can help connect workers to jobs in the green economy, including organizations that represent workers who are underrepresented in environmental jobs. Specifically, the agencies will collaborate to:
- Jointly engage state, tribal and local governments, employers, labor unions, tradeswomen organizations, environmental justice organizations, community colleges, institutions of higher education, and other relevant partners to advance shared job-quality and workforce equity priorities in the environmental sector – leveraging the strengths and expertise of all partners in this coalition.
  - Jointly engage stakeholders to gather feedback on the responsiveness of federal investments to the needs of workers and businesses, where there are not conflict of interests between agencies and stakeholders (e.g., during grant competition periods).
  - As appropriate and in accordance with law, survey existing education and training providers offering environmental sector training programs to understand the challenges they face and gather insight into best practices for achieving student success and meeting business needs.
  - Document and disseminate best practices for addressing barriers to access, retention, and progression in good environmental jobs in the civilian labor force from national, state, tribal and local efforts.
  - Collaborate with local partners to increase community outreach activities in underserved communities, including among underrepresented populations and communities with potential environmental justice challenges, to spread awareness among residents of career pathways in the environmental sector, especially careers that offer living wages, transferable skills and in fields with a growing number of quality jobs. A key part of this strategy should be empowering trusted local residents to share information and resources with fellow community members.
  - Explore opportunities to expand awareness of careers in the environmental sector among current students, including middle- and high school students and community college students, especially in underserved and

underrepresented communities.

- Any other items identified as appropriate as mutually agreed to.
- c. Job Quality, Standards and Metrics, Worker Empowerment:** Subject to the availability of appropriations and other relevant legal authority, the agencies will support job quality in the environmental sector to ensure workers benefit from healthy and safe workplaces, well-paying jobs with benefits and a free and fair choice to form and join a union. Specifically, the agencies will collaborate to:
  - In addition to any applicable statutorily required labor standards (e.g., the Davis Bacon and Related Acts), integrate job quality and equity standards into EPA and DOL grants, as legal, to ensure EPA funding goes toward creating high-quality environmental jobs that are accessible to all workers, particularly those from underserved communities.
  - Explore ways to strengthen hiring guidelines in EPA funding opportunities, setting clear expectations, establishing accountability mechanisms and designing incentives for hiring and retaining workers from underserved communities, including underrepresented populations.
  - Collaborate to implement and enforce federal law and guidance related to labor standards, job quality and workforce development, such as Davis Bacon labor standards when applicable, Executive Order 14063 requiring the use of Project Labor Agreements and local-hire provisions as permitted by 2 CFR 200.319(c).
  - Develop mechanisms to support unionized workers and ensure that workers have a free and fair opportunity to unionize and collectively bargain.
  - Share timely data on workforce trends in existing and emerging environmental sectors, such as job availability, occupational trends and wage data.
  - Jointly design evaluation plans and establish methods of capturing key job-quality measures, as well as worker and community demographic information, from federal statistical agencies' surveys and administrative data as one way to measure the success of joint efforts.
  - Measure and report on the economic and workforce impacts of the Bipartisan Infrastructure Law and Inflation Reduction Act's climate provisions, in partnership with relevant federal and state agencies.
  - Develop and implement best practices for creating fair and safe workplaces that promote the recruitment and retention of underserved populations, including participation in DOL's Office of Federal Contract Compliance Programs Mega Construction Projects (Megaproject) where applicable. For the Megaproject program, DOL is seeking partnerships with federal funding agencies to ensure that projects with a project value above \$35 million that are



designated as Megaprojects by OFCCP are required to participate in the program as a condition of their award. The EPA will collaborate with DOL on implementation of this priority, starting with eligible projects funded by the Bipartisan Infrastructure Law.

- Promote compliance with applicable federal labor and employment laws as permitted by statute.
  - Address workplace harassment and discrimination by requiring grant recipients and contractors to comply with existing equal-opportunity standards, adopt workplace standards, accountability and training to combat on-the-job hostility and harassment and harassment or retaliation that may result from an employee's report on misuse of government funds, reporting or challenging discrimination or participating in an investigation or hearing.
  - Any other items identified as appropriate as mutually agreed to.
- d. Equitable and Effective Workforce Development:** Subject to the availability of appropriations and other relevant legal authority, the agencies will support the creation and expansion of high-quality, equitable workforce-development programs that connect workers to quality jobs. Specifically, the agencies will collaborate to:
- Explore strategies for ensuring the EPA's unprecedented Bipartisan Infrastructure Law and Inflation Reduction Act investments, such as workforce training and development programs funded under the IRA Environmental and Climate Justice Block Grants, produce high quality jobs for workers, especially those from underserved communities.
  - Evaluate the EPA's existing workforce development programs – including the Brownfields Job Training Grants, Innovative Water Infrastructure Workforce Development Program and Superfund Job Training Initiative – to identify opportunities to enhance, scale and align those programs with other workforce development initiatives to maximize their impact.
  - Encourage and incentivize state and local governments to leverage funding to invest in environmental job training through EPA programs such as State Revolving Fund resources for water investments, Brownfield cleanups, IRA-funded Climate Pollution Reduction Grants and other programs that are executed in collaboration with state and local partners.
  - Promote best practices for creating and expanding education and training programs to support careers in the green economy. Share best practices for how state, tribal and local governments can partner with the public workforce system, including State and local workforce boards, American Job Centers, community colleges, Registered Apprenticeship programs, pre-apprenticeship programs, Job Corps Centers, Civilian Conservation Centers, YouthBuild and other career and technical education programs to support mutual goals of good jobs in the green economy.

- Share best practices on how state, tribal, local governments and regional workforce-training systems can track and report metrics related to good job creation and workforce needs in the green economy.
- 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 signature and shall continue in force indefinitely. 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 agreed upon mutually.

## **VII. EFFECT**

Nothing in this Memorandum of Understanding shall be interpreted as limiting, superseding or otherwise affecting either the EPA's or DOL's 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 EPA or DOL.

## **VIII. POINTS OF CONTACT**

### U.S. Department of Labor


- Brent Parton, acting assistant secretary, Employment and Training Administration
- Katelyn Walker Mooney, director, Good Jobs Initiative
- Teresa Acuña, deputy director, Good Jobs Initiative
- Rukku Singla, policy advisor, Good Jobs Initiative
- Lafe Solomon, senior counsel, Office of the Solicitor
- Joseph Sweeney, policy advisor, Wage and Hour Division

### U.S. Environmental Protection Agency

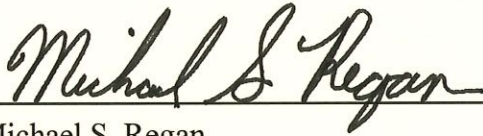
- Zealan Hoover, senior advisor, Office of the Administrator
- Andrew Schreyer, deputy assistant administrator, Office of Mission Support
- Navis Bermudez, deputy assistant administrator, Office of Policy
- Zach Schafer, senior advisor, Office of Water
- Jon Grosshans, senior advisor, Office of Policy
- Rachel Zuckerman, special advisor, Office of the Administrator
- Lucille Liem, attorney advisor, Office of General Counsel

**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.

  
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Julie Su  
Acting Secretary  
U.S. Department of Labor

Date: 7-13-23

  
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Michael S. Regan  
Administrator  
U.S. Environmental Protection Agency

Date: JUL 13 2023

## Appendix A

The U.S. 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 educational, 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 supports, 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.