

**SENATE . . . . . No. 1179**

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**The Commonwealth of Massachusetts**

PRESENTED BY:

***Paul R. Feeney***

*To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:*

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to a just transition to clean energy.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>Paul W. Mark</i>	<i>Berkshire, Hampden, Franklin and Hampshire</i>	<i>2/8/2023</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Plymouth and Bristol</i>	<i>2/8/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>2/8/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/9/2023</i>
<i>Marc R. Pacheco</i>	<i>Third Bristol and Plymouth</i>	<i>2/10/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/13/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/16/2023</i>

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By Mr. Feeney, a petition (accompanied by bill, Senate, No. 1179) of Paul R. Feeney, Paul W. Mark, Walter F. Timilty, Michael D. Brady and other members of the General Court for legislation relative to a just transition to clean energy. Labor and Workforce Development.

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[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE SENATE, NO. 1197 OF 2021-2022.]

**The Commonwealth of Massachusetts**

\_\_\_\_\_  
**In the One Hundred and Ninety-Third General Court  
(2023-2024)**  
\_\_\_\_\_

An Act relative to a just transition to clean energy.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1           SECTION 1. Chapter 164 of the General Laws is hereby amended by striking out section  
2   1E, as appearing in the 2020 Official Edition, and inserting in place thereof the following  
3   section:-

4           Section 1E. (a) The department is hereby authorized to promulgate rules and regulations  
5   to establish and require performance based rates for each distribution, transmission, and gas  
6   company organized and doing business in the commonwealth pursuant to the provisions of this  
7   chapter. In promulgating such performance based rate schemes, the department shall establish  
8   service quality standards each distribution, transmission, and gas company, including, but not  
9   limited to, standards for customer satisfaction service outages, distribution facility upgrades,  
10   repairs and maintenance, telephone service, billing service, and public safety, occupational

11 safety, training and certifications for both in-house and contractor employees, map and record  
12 accuracy, and in-house staffing benchmarks sufficient to ensure pipeline safety through the  
13 period of transition to net zero emissions.

14 In addition, the department shall require each gas company, as part of performance based  
15 ratemaking, to submit a just transition plan, which must be approved by the department, to  
16 address workforce development, maintenance and attrition over the course of the transition to net  
17 zero emissions generally, and the PBR period specifically, and provide for the following:

18 1. A detailed proposed chronology for transition to net zero emissions energy supply and  
19 distribution to be set through performance based ratemaking;

20 2. Sufficient in-house staffing levels, in each relevant classification, to ensure the safety  
21 and reliability of the gas company's pipeline through the projected transition period;

22 3. Training and workforce development plans providing for gas company workforce  
23 needs on residual natural gas and electric as well as alternative energy sources, generation and  
24 distribution infrastructure utilized by the gas company to replace and/or complement natural gas;

25 4. Any and all mitigation measures to address the impacts of transition—e.g., attrition,  
26 retrenchment—on the gas company's workforce over the course of the PBR—including, but not  
27 limited to—cross-training and hiring preferences at dual-fuel companies and joint ventures with  
28 renewable energy generators/distributors, early retirement incentives;

29 5. In the event of the gas company's anticipated substantial partial or complete cessation  
30 of gas operations in Massachusetts during the period in which PBR is effective:

31 a. Means by which the gas company, and/or its parent corporation intends to avoid  
32 burdening the Commonwealth, its ratepayers, and taxpayers with the social welfare costs  
33 resulting from such cessation;

34 b. Measures to ensure the solvency of the LDC pension system during and after  
35 transition;

36 c. Measures to stem the displacement of LDC employees attrited as a result of transition  
37 from the Massachusetts energy sector.

38 6. Nothing in this section shall prohibit or supplant the LDC's collective bargaining  
39 obligations relative to the National Labor Relations Act.

40 (b) In complying with the service quality standards and employee benchmarks  
41 established pursuant to this section, a distribution, transmission, or gas company that makes a  
42 performance based rating filing after the effective date of this act shall not be allowed to engage  
43 in labor displacement or reductions below staffing levels in existence on January 1, 2022, unless  
44 such are fully compliant with any law supporting a just transition to net zero emissions and part  
45 of a collective bargaining agreement or agreements between such company and the applicable  
46 organization or organizations representing such workers, or with the approval of the department  
47 following an evidentiary hearing at which the burden shall be upon the company to demonstrate  
48 that such staffing reductions shall not adversely disrupt service quality standards or public safety  
49 and shall maintain reliable service through the transition to net zero emissions as established by  
50 the department herein. Nothing in this paragraph shall prevent reduction of forces below the  
51 January 1, 2022 level through early retirement and severances negotiated with labor  
52 organizations before said date.

53 (c) The department shall promulgate regulations relative to an alternative dispute  
54 resolution process for the handling of damage claims by customers in an amount under \$100.  
55 The department shall establish a 60 day timeline for the resolution of all mediation claims. The  
56 department shall issue a biannual report to the joint committee on telecommunications, utilities  
57 and energy which shall include, but not be limited to, the following information: the nature of  
58 consumer claims, the number of consumer claims and the resolutions of consumer claims  
59 reviewed by the department during the previous 6 months. Said report shall be available for  
60 public review at the department.

61 SECTION 2. Chapter 164 of the General Laws is hereby amended by striking out section  
62 145, as appearing in the 2020 Official Edition, and inserting in place thereof the following  
63 section:-

64 Section 145. (a) For the purposes of this section, the following words shall, unless the  
65 context clearly requires otherwise, have the following meanings:-

66 “Customer”, a retail natural gas customer.

67 “Eligible infrastructure replacement”, a replacement or an improvement of existing  
68 infrastructure of a gas company that: (i) is made on or after January 1, 2015; (ii) is designed to  
69 improve public safety or infrastructure reliability; (iii) does not increase the revenue of a gas  
70 company by connecting an improvement for a principal purpose of serving new customers; (iv)  
71 reduces, or has the potential to reduce, lost and unaccounted for natural gas through a reduction  
72 in natural gas system leaks; (v) is not included in the current rate base of the gas company as  
73 determined in the gas company’s most recent rate proceeding; (vi) may include use of advanced  
74 leak repair technology approved by the department to repair an existing leak-prone gas pipe to

75 extend the useful life of the such gas pipe by no less than 10 years; and (vii) may include  
76 replacing gas infrastructure with utility-scale non-emitting renewable thermal energy  
77 infrastructure.

78 “Plan”, a targeted infrastructure replacement program construction plan that a gas  
79 company files pursuant to subsection (b).

80 “Project”, an eligible infrastructure replacement project proposed by a gas company in a  
81 plan filed under this section.

82 (b) A gas company shall file with the department a plan to address aging or leaking  
83 natural gas infrastructure within the commonwealth and the leak rate on the gas company’s  
84 natural gas infrastructure in the interest of public safety and reducing lost and unaccounted for  
85 natural gas through a reduction in natural gas system leaks. This plan shall include, but not be  
86 limited to, provisions to ensure the gas company trains a sufficient, highly skilled, stable  
87 workforce to repair and maintain the safety and reliability of its pipeline for the duration of its  
88 useful life, until and including its retirement or re-purposing for alternative use. Each  
89 company’s gas infrastructure plan shall include interim targets for the department’s review. The  
90 department shall review these interim targets to ensure each gas company is meeting the  
91 appropriate pace to reduce the leak rate on and to replace the gas company’s natural gas  
92 infrastructure in a safe and timely manner. The interim targets shall be for periods of not more  
93 than 6 years or at the conclusion of 2 complete 3-year walking survey cycles conducted by the  
94 gas company. The gas companies shall incorporate these interim targets into timelines for  
95 removing all leak-prone infrastructure filed pursuant to subsection (c) and may update them  
96 based on overall progress. The department may levy a penalty against any gas company that fails

97 to meet its interim target in an amount up to and including the equivalent of 2.5 per cent of such  
98 gas company's transmission and distribution service revenues for the previous calendar year.

99 (c) Any plan filed with the department shall include, but not be limited to: (i) eligible  
100 infrastructure replacement of mains, services, meter sets and other ancillary facilities composed  
101 of non-cathodically protected steel, cast iron and wrought iron, prioritized to implement the  
102 federal gas distribution pipeline integrity management plan annually submitted to the department  
103 and consistent with subpart P of 49 C.F.R. part 192; (ii) an anticipated timeline for the  
104 completion of each project; (iii) the estimated cost of each project; (iv) rate change requests; (v)  
105 a description of customer costs and benefits under the plan; (vi) the relocations, where practical,  
106 of a meter located inside of a structure to the outside of said structure for the purpose of  
107 improving public safety; and (vii) how the gas company intends to utilize its in-house workforce  
108 and outside contractor crews, respectively, to perform construction; (viii) all oversight and  
109 quality assurance measures implemented by the gas company on construction during the course  
110 of the plan; (ix) all funds to be expended on training for its in-house on the construction and  
111 maintenance of its pipeline; (x) any plans for the utilization of pipeline to satisfy the  
112 Commonwealth's net zero emissions goals and aggregated data reflecting the projected impact of  
113 the plans on the Commonwealth's net zero emissions goals; and (xi) any other information the  
114 department considers necessary to evaluate the plan.

115 As part of each plan filed under this section, a gas company shall include a timeline for  
116 removing all leak-prone infrastructure on an accelerated basis specifying an annual replacement  
117 pace and program end date with a target end date of: (i) not more than 20 years from the filing of  
118 a gas company's initial plan; or (ii) a reasonable target end date considering the allowable  
119 recovery cap established pursuant to subsection (f). The department shall not approve a timeline

120 as part of a plan unless the allowable recovery cap established pursuant to subsection (f) provides  
121 the gas company with a reasonable opportunity to recover the costs associated with removing all  
122 leak-prone infrastructure on the accelerated basis set forth under the timeline utilizing the cost  
123 recovery mechanism established pursuant to this section. After filing the initial plan, a gas  
124 company shall, at 5-year intervals, provide the department with a summary of its replacement  
125 progress to date, a summary of work to be completed during the next 5 years and any similar  
126 information the department may require. The department may require a gas company to file an  
127 updated long-term timeline as part of a plan if it alters the cap established pursuant to subsection

128 SECTION 3. Chapter 164 of the General Laws is hereby amended by adding the  
129 following section:-

130 Section 149.

131 (a) For the purposes of this section, the following words shall, unless the context clearly  
132 requires otherwise, have the following meanings:

133 “Company”, is interchangeable with the term employer and refers to any local  
134 distribution company regulated under M.G.L. c. 164 § 3 and distributing natural gas to  
135 ratepayers.

136 “Dual Fuel Company”, refers to Companies who distribute natural gas and one or more  
137 other form of energy to commercial, governmental, and/or residential ratepayers.

138 “Alternative Energy Company”, refers to Companies who generate or distribute forms of  
139 energy who production and use results in the production of lower carbon emissions conventional  
140 natural gas or electric energy.



141 “Commonwealth”, refers to Commonwealth and/or its departments, offices, agencies,  
142 political sub-divisions, and quasi-public agencies, including but not limited to quasi-public  
143 agencies subject to said chapter 150A by chapter 760 of the acts of 1962 and any quasi-public  
144 independent entity and any authority or body politic and corporate established by the general  
145 court to serve a public purpose.

146 (b) Every Company shall develop, and periodically amend a comprehensive plan, as set  
147 forth in Section 1E of Chapter 164 [as amended in Section 1 of this Legislation] to be filed with  
148 the Department of Public Utilities, for the hire, retention, and training of a sufficient operations  
149 and maintenance workforce through 2050 addressing its plans to meet the Commonwealth’s net  
150 zero emissions goals and its plans to fulfill this Chapter’s requirements to provide safe and  
151 reliable service as well as all other state and Federal regulatory requirements. Such plan shall be  
152 amended bi-annually, beginning July 1, 2024. Each Company plan shall also provide  
153 projections for any attrition among its in-house workforce and the utilization of outside  
154 contractors over both the biannual period and over the course of the transition to net zero  
155 emissions.

156 (c) Dual Fuel Companies must additionally provide, as part of their biannual plan, all  
157 provisions, opportunities and initiatives to provide training and employment opportunities to  
158 workers who may be displaced by the Company’s compliance with the Commonwealth’s net  
159 zero emissions goals.

160 (d) The Department shall, when initiated sua sponte or by motion of the Attorney  
161 General, initiate an investigation to determine to determine the sufficiency of the Company’s  
162 plan with regard to meeting the Commonwealth’s net zero emission requirements and Chapter

163 164's reliability, safety and staffing requirements. Such plans, and all back-up data upon which  
164 the plans are based, shall be subject to disclosure to all intervening stakeholders during the  
165 investigation.

166 (e) The Executive Office of Energy and Environmental Affairs and the Executive Office  
167 of Labor and Workforce Development shall, joint and in collaboration, administer programs,  
168 provide technical assistance, and develop regulations for a training fund to support the  
169 establishment of apprenticeship programs to train Company employees on alternative energy  
170 generation and distribution and raise the next generation of energy industry workers in the  
171 Commonwealth.

172 (f) Grants from the fund may be provided to Gas and Dual Fuel Companies for the  
173 development and execution of training of their workforces on a competitive basis, based upon a  
174 number of factors, including, but not limited to, the Company's demonstrated commitments to  
175 (1) retaining and repurposing its highly skilled in-house gas workforce on a dual fuel or  
176 alternative energy businesses, (2) maintaining high quality, longterm in-house employment  
177 opportunities in energy distribution. Labor organizations representing Gas Company workers  
178 and Dual Fuel Company workers may also apply for funding.

179 (g) Alternative energy companies, including both generating or distributing companies,  
180 may also apply for training grants from this fund to defray the cost of hiring and training workers  
181 displaced by the Commonwealth's efforts to meet its net zero emissions goals. To qualify,  
182 alternative energy companies must demonstrate that (1) they are developing and executing plans  
183 for hiring, training and retention that include a demonstrated commitment to training and hiring  
184 gas company employees and other workers displaced by the Commonwealth's transition to net

185 zero emissions, (2) they have or are in the process of developing robust in-house training  
186 programs in the Commonwealth on alternative energy, and (3) their commitment to the creation  
187 and maintenance of high quality, sustainable employment opportunities for displaced workers.

188 SECTION 4. Chapter 151A of the General Laws, as appearing in the 2020 Official  
189 Edition, is hereby amended by adding the following section:-

190 Section 75.

191 (a) For the purposes of this section, the following words shall, unless the context clearly  
192 requires otherwise, have the following meanings:

193 “Adversely affected employment”, employment with an employer providing labor,  
194 goods, and/or services facilitating the generation, distribution, or transmission of energy from  
195 fossil fuels, including but not limited to the distribution of natural gas, which may be or are  
196 adversely affected by the Commonwealth’s efforts to realize its net zero emissions goals.

197 “Adversely affected worker”, an individual who, because of lack of work in adversely  
198 affected employment, has been totally or partially separated from such employment, or has been  
199 threatened to be totally or partially separated from such employment.

200 “Adjustment assistance”, any compensation, credit, benefit, funding, training, or service  
201 provided under this Section.

202 "Suitable employment", employment at a wage that is not less than 90 percent of the  
203 wage the worker received on the day before any partial or total separation.

204 "Applicable employer" , as applicable—

205 (a) an employer engaged in the generation, distribution/transmission of energy from fossil  
206 fuels (“fossil fuel employer”);

207 (b) an employer engaged in the generation, distribution, or transmission of fossil fuel  
208 energy that also, either as a secondary component of its business or by corporate affiliation,  
209 generates, distributes, or transmits another form of energy (“dual fuel employer”); distribute  
210 natural gas and one or more other form of energy to commercial, governmental, and/or  
211 residential ratepayers or,

212 (c) an employer providing labor, goods, and/or services in or to the renewable energy  
213 industry (“alternative energy employer”).

214 “Partial separation”, with respect to an individual who has not been totally separated,  
215 that such individual has experienced—

216 (a) a reduction in hours of work to 80 percent or less of the individual's average weekly  
217 hours in adversely affected employment; and

218 (b) a reduction in wages to 80 percent or less of the individual's average weekly wage in  
219 such adversely affected employment.

220 “Threatened”, with respect to total or partial separation, means that an individual is aware  
221 of imminent total or partial separation from employment with an applicable firm or with a  
222 company with which the applicable firm is contracted to provide goods or services.

223 “Total separation”, the layoff or severance of an adversely affected worker.

224 (b) Transition Related Unemployment Assistance.

225 (1) In general. DUA shall make payments of temporary additional unemployment  
226 compensation for up to 104 additional weeks to adversely affected workers who have been  
227 totally separated:

228 (i) have exhausted all rights to regular unemployment compensation under the State law  
229 or under Federal law with respect to a benefit year;

230 (ii) have no rights to regular compensation with respect to a week under such law or any  
231 other State unemployment compensation law or to compensation under any other Federal law;  
232 and

233 (iii) are able to work, available to work, and actively seeking work.

234 (2) Exhaustion of benefits

235 For purposes of paragraph (1), an adversely affected individual shall be deemed to have  
236 exhausted such individual's rights to regular compensation under a State law when—

237 (i) no payments of regular compensation can be made under such law because such  
238 individual has received all regular compensation available to such individual based on  
239 employment or wages during such individual's base period; or

240 (ii) such individual's rights to such compensation have been terminated by reason of the  
241 expiration of the benefit year with respect to which such rights existed.

242 (3) Weekly benefit amount.

243 In general, subject to paragraph, for purposes of any agreement under this section—

244 (i) the amount of temporary additional unemployment compensation that shall be payable  
245 to any applicable individual for any week of total unemployment shall be equal to the amount of  
246 the regular compensation (including dependents' allowances) payable to such individual during  
247 such individual's benefit year under the State law for a week of total unemployment;

248 (ii) the terms and conditions of the State law which apply to claims for regular  
249 compensation and to the payment thereof (including terms and conditions relating to availability  
250 for work, active search for work, and refusal to accept work) shall apply to claims for temporary  
251 additional unemployment compensation and the payment thereof; and

252 (iii) the maximum amount of temporary additional unemployment compensation payable  
253 to any applicable individual is 156 weeks.

254 (4) Funding. Each applicable employer, as defined in Section \_\_\_\_, shall make  
255 contributions as established by the Department of Unemployment Assistance, pursuant to its  
256 enabling authority under Chapter 151A, into a newly established Clean Energy Just Transition  
257 Unemployment Trust Fund to cover the cost of these benefits. The Department shall establishing  
258 contribution rates and schedules as well as all relevant regulations for the Just Transition Trust  
259 Fund to ensure that it is fully funded and may be utilized by all adversely affected employees  
260 who are terminated no later than January 1, 2025. The Department may also use funding from  
261 the Trust Fund to establish programs and benefits for adversely affected workers to assist them in  
262 obtaining training and replacement employment opportunities and to cover health insurance.

263 SECTION 5. Chapter 23 of the General Laws, as appearing in the 2020 Official Edition,  
264 is hereby amended by adding the following section:-

265 Section 26. Just Transition to Clean Energy

266 (a) (1) In the department of career services, within the executive office of labor and  
267 workforce development, there shall be a just transition office. The office shall ensure that  
268 workers employed in the energy sector who are displaced due to efforts by the commonwealth or  
269 the private sector to reduce greenhouse gas emissions or transition from fossil fuels to clean  
270 energy have immediate access to employment and training opportunities in clean energy  
271 industries and related fields. The just transition office shall also work with clean energy  
272 businesses to ensure they act as responsible employers to further the commonwealth's workforce  
273 and economic development goals. The just transition office shall also work to increase access to  
274 employment and training opportunities in clean energy industries and related fields for residents  
275 of environmental justice communities.

276 (2) The secretary of labor and workforce development shall appoint the director of the  
277 office.

278 (3) Within the office there shall be a just transition advisory committee consisting of: (i)  
279 the director of the office; (ii) the secretary of labor and workforce development and the  
280 commissioner of the department of energy resources, or their designees; (iii) the director of the  
281 office of clean energy equity in the executive office of energy and environmental affairs; (iv) a  
282 representative of employers in the gas utility sector appointed by the governor; (v) a  
283 representative of employers in the electric power generation sector appointed by the governor;  
284 (vi) a representative of employers in the renewable electricity sector appointed by the governor;  
285 (vii) a representative of employers in the energy efficiency sector appointed by the governor;  
286 (viii) a representative of employers in the clean transportation sector appointed by the governor;  
287 (ix) a representative of employers in the clean heating sector appointed by the governor; (x) a  
288 representative of employees in the gas utility sector appointed by the president of the

289 Massachusetts AFL-CIO; (xi) a representative of employees in the electric power generation  
290 sector appointed by the president of the Massachusetts AFL-CIO; (xii) two representatives of  
291 employees in the clean energy sector appointed by the president of the Massachusetts AFL-CIO;  
292 (xiii) a representative of employees in the transportation sector appointed by the president of the  
293 Massachusetts AFL-CIO; (xiv) the president of the Massachusetts Building Trades Council or a  
294 designee, and (xv) two representative of environmental justice communities appointed by the  
295 director of the office of clean energy equity.

296 (4) The committee shall be tasked with developing a just transition plan for the energy  
297 sector that identifies workers currently employed in the sector by industry, trade, and job  
298 classification, and contains relevant information including, but not limited to, current wage and  
299 benefit packages and current licensing, certification and training requirements. The committee,  
300 through the just transition plan, shall recommend education and training programs to enhance re-  
301 employment opportunities within the energy sector, and services to support dislocated workers  
302 displaced from jobs within the energy sector as a result of emissions-reducing policies and  
303 advancements in clean energy technology. The just transition plan shall also recommend actions  
304 to increase opportunities for residents of environmental justice communities to work in clean  
305 energy industries.

306 (5) The just transition plan shall include provisions to:

307 (a) Administer climate adjustment assistance benefits that are similar in type, amount,  
308 and duration to federal Trade Adjustment Assistance Benefits available pursuant to 20 CFR  
309 617.20–617.49;



310 (b) Educate dislocated workers, in collaboration with employers of dislocated workers  
311 and relevant labor unions, on re-employment or training opportunities, and how to apply for  
312 climate adjustment assistance benefits;

313 (b) Provide training, cross-training, and re-training to workers displaced by gas  
314 infrastructure loss in the commonwealth's local distribution companies and related businesses;

315 (b) Address the workforce development challenges of the fossil fuel energy sector's  
316 shrinking workforce over the course of the commonwealth's 25-year transition to a clean energy  
317 economy;

318 (c) Incentivize the hiring of displaced energy sector workers with utilities, clean energy  
319 industries, and related industries;

320 (d) Work with the Massachusetts Clean Energy Center to ensure that training and  
321 employment opportunities for displaced energy sector workers are included in their initiatives,  
322 incentives, funding opportunities, and projects;

323 (e) Work with the department of public utilities and other agencies regulating the energy  
324 sector within the commonwealth to coordinate just transition initiatives, complementing the other  
325 regulatory priorities of those agencies;

326 (f) Establish a fund to implement the just transition plan and its components, including  
327 potential sources for sustainable short-term and long-term funding;

328 (g) Develop requirements, including the submission of a workforce transition plan, for  
329 energy sector employers that are closing a facility or significantly reducing their workforces as a

330 result of efforts by the commonwealth or the private sector to reduce greenhouse gas emissions  
331 or transition from fossil fuels to clean energy; and

332 (h) Increase access to employment and training opportunities in clean energy industries  
333 and related fields for residents of environmental justice communities.

334 SECTION 6. (a) Employers described in paragraph (i) of subsection (5) shall submit a  
335 workforce transition plan to the office. Workforce transition plans shall be subject to section 10  
336 of chapter 66 and shall include:

337 (b) The reasons for the workforce reduction or facility closure;

338 1. The total number of workers by job classification and by geographic assignment  
339 employed by the employer;

340 2. The total number of workers whose existing jobs who will be retained, by job  
341 classification and geographic location;

342 3. The total number of workers whose existing jobs will be eliminated by the workforce  
343 reduction or the closure of a facility, by job classification and geographic location;

344 4. Whether each classification of workers whose jobs are being eliminated will be offered  
345 employment in any other job classification or capacity by the employer; how many employees in  
346 each classification will be offered employment; and whether the replacement employment  
347 offered will provide comparable wages, benefits, and working conditions;

348 5. Whether the employer is offering severance or early retirement benefits to impacted  
349 workers; the value of the severance or early retirement benefits; whether the severance or early

350 retirement benefits are being provided to all or certain classes of workers; and how many  
351 impacted workers intend to utilize these offerings;

352 6. Whether the employer plans to transfer the work to a separate facility, enter a  
353 contracting agreement for work previously performed by company employees, or otherwise  
354 outsource work previously performed by company employees; and

355 7. Whether the employer is a recipient of loans, grants, tax increment financing, or any  
356 other financial incentive from the commonwealth, its independent state agencies, departments, or  
357 corporations, or any municipality within the last five years.

358 (c) The Governor shall appoint representatives of labor organizations to participate on  
359 state climate and energy advisory boards and committees that are consistent with the energy  
360 advisory board and the energy efficiency advisory council set forth in M.G.L. c. 25 and other  
361 similarly situated committees and boards.