



House Committee on Environment and Natural Resources
Oregon State Capitol
900 Court St. NE
Salem Oregon 97301

February 4, 2022

Dear Chair Marsh and members of the committee,

The Oregon Solar + Storage Industries Association (OSSIA) is a trade association founded in 1981 to promote clean, renewable, solar technologies. OSSIA members include businesses, non-profit groups, and other solar and storage industry stakeholders. We provide a unified voice of the solar industry and focus exclusively on the solar value chain; from workforce development to permitting, advocacy, policy, and regulation for manufacturing, residential, commercial, community, and utility scale solar projects on the local, state and regional level.

OSSIA urges your support of HB 4059. This bill represents consensus between renewable energy developer associations and labor union interests to make technical corrections and improvements to the labor standards created last year in HB 2021. Without HB 4059 it will be challenging to implement the standards for projects in Oregon.

Proposed updates to HB 2021 (2021) in HB 4059:

- (1) Clarify that a project labor agreement (PLA) negotiated between developers and representatives of labor is a necessary alternative compliance option, in lieu of labor requirements in HB 2021.
- (2) Clarify that a developer attestation addresses all the labor standards, and is due within 30 days of the start of construction.
- (3) Adjust a definition to use the correct term for prevailing wage.
- (4) Clarify that state labor standards do not affect tribal jurisdictions (consistent with current law).
- (5) Refine what constitutes a good faith attempt to comply with the apprenticeship standards.
- (6) Provides for apprenticeship opportunities from 10 MW to 2 MW (3 MW for Community Solar) while maintaining wage, retirement, and health standards at 10MW and above.
- (7) Clarifies that the labor provisions enacted by HB 2021 are minimum standards and do not otherwise prohibit covered projects from exceeding the base requirements or including additional standards.
- (8) Includes notification of the standards in a utility company's Request for Proposals (RFP)



OSSIA in particular appreciates clarifications (1), (2) and (5) above, which provide flexibility for developers in the volatile labor market and supply chain environment. PLAs give developers and contractors the ability to tailor workforce needs to meet those of a particular project.

OSSIA supports the clarification in **the -3 amendment** regarding the existing Community Solar exemption from labor standards. **Community Solar projects are different than regular utility scale solar; they provide increased community benefits with direct access to clean energy to low-income ratepayers, businesses and public entities who often face challenges in installing their own solar.** They are also more complicated to finance and manage, plus have an additional layer of complex regulations to comply with. For this reason, Community Solar projects are exempt from the new labor standards in order to reduce their regulatory burden. Projects will still use apprentices in construction, but will not have to comply with reporting requirements. Community Solar projects can currently be up to 3 MW AC in size and the -3 amendment clarifies their exemption.

Lastly, OSSIA supports reverting the apprenticeship standard back to 2 MW (except for Community Solar), as was originally proposed early in the 2021 session. Apprentices are highly desired on solar projects and we support efforts to increase the use of apprentices. Solar is a growing industry and Oregon currently has a shortage of electricians, making apprentices valuable for both the industry and workers.

OSSIA strongly urges passage of HB 4059.