

# Panel 3: Green Economy

*Moderator: Daniel Farber\**

*Speakers: Renee Hatcher\*\* & Jose “JB” Tengco\*\*\**

## INTRODUCTION

**Dan Farber:** Okay. Great. It’s terrific to be here today. We have what I think will be a really interesting panel. As with the other panels, this one is about just transition. Our GDP [gross domestic product] has grown dramatically in recent decades, but that growth has left a lot of people behind, including ordinary workers and disadvantaged communities. Growth has also left us with dramatic environmental problems, not least of which is climate change. This has all intensified interest in the idea of a just transition to a zero-carbon world. Our two panelists are involved in important and imaginative efforts to create a green economy that works for everyone.

We were initially planning to have a third panelist who had to withdraw at the last minute, but I’m sure we’ll have plenty to talk about nonetheless. Our first panelist to speak will be Renee Hatcher, a human rights and community development lawyer. She’s an assistant professor of law and the director of the Community Enterprise and Solidarity Economy Clinic at the University of Illinois’ John Marshall Law School, Chicago.

Our other speaker is Jose “JB” Tengco, who’s the vice president for state affairs for the BlueGreen Alliance. Previously, he served as the organization’s western states director and has held senior positions in the clean energy, labor, and political arena[s]. Now let me begin by giving the podium over to Professor Hatcher.

**Renee Hatcher:** Thank you so much. I’m so glad to be here. So, I want to just talk briefly about some of my work and how I think about what a potential green economy could look like. Then, hopefully, we’ll have some time just to discuss and engage on some of these topics. So, I came to the work that I now do just as a community development attorney in Chicago on the South Side. I

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\* Dan Farber is the Sho Sato Professor of Law at the University of California, Berkeley, School of Law and Faculty Director of the Center for Law, Energy & the Environment (CLEE). Farber is a Member of the American Academy of Arts and Sciences and a Life Member of the American Law Institute.

\*\* Renee Hatcher is an Assistant Professor of Law at the University of Illinois Chicago School of Law and Director at the Community Enterprise & Solidarity Economy Clinic.

\*\*\* Jose “JB” Tengco is Vice President for State Affairs for the Bluegreen Alliance.

work[ed] with nonprofit organizations, small businesses, and community associations, and, very quickly, some of that work turned to some of the larger systemic issues around economic development on a local level.

A lot of my work was working with community coalitions that were trying to get certain types of benefits or green benefits as [they] pertained to big development projects that were subsidized by the city. I was trying to do some of the legal support around things like community benefit agreements or regional equity and was working with a number of community organizations that were trying to address issues of gentrification in their neighborhood[s] here in Chicago. And, in doing that, I got to see more or less what that process looks like up close. On a very local level, I saw what economic development looks like, what the power dynamics of those processes [are], and what tend[s] to be the outcome, even in the face of a very well-organized community opposition.

So, in doing some of that, most of my direct client work has been working with small businesses and nonprofits. I'm a transactional attorney that works in community. And, very quickly, I start[ed] to reflect on the limitations of my own work, in trying to, for example, help sole entrepreneurs, mostly Black and Brown entrepreneurs on the South Side, start their own business because they did not necessarily have access to a living wage job. In doing that, the limitations of that really [were] several.

One [was] in the sense that those same entrepreneurs—who may or may not be successful, but assuming that they were successful—really only impacted their own household. There were [also] some of the same kinds of concerns around the employees that they ultimately would hire, in the sense that they may not be able to pay them a living wage, or not necessarily model a business to pay them a living wage. But, ultimately, there was no theory of change to that type of work, that really, I think, addressed the systemic issues of economic development, of pro-growth strategies, of the environment in that process.

And I should add some of the early coalitions that I worked with were working on development projects that were previous sites of U.S. Steel [and] contaminated sites, and so there were a lot of environmental issues and factors. A previous smelting plant, that ultimately the city of East Chicago decided to build public housing on, had caused several medical issues, as you can imagine, for children who ultimately lived there. There was no real way to address some of these systemic problems. Very quickly it became clear to me that the economy and ultimately the way our economic development process works is at the heart of a lot of these issues and our problems.

And so, it's not just necessarily an issue of growth, but our economy depends on constantly growing GDP that continues to put us in a worse position in terms of the climate crisis. More recently, I have now moved the theory underlying my work [to] really center heterodox economics and solidarity economy. I am working with clients that are typically collectives that have some element of collective action, of agency, of community residents, and ultimately are trying to confront capitalism in very direct ways in the industries that they're

working in, and also just simply providing for and controlling the institutions that can provide them for their material needs.

So, a lot of what I deal in is solidarity economy, which, very broadly, is an economy that centers the needs of people and the planet. It's also a way in which to think of the many co-ops, the mutual aid organizations, and other organizations [that] are trying to fundamentally shift the economy and replace the dominant capitalist economy with those types of institutions that really embed different values. There are certain principles of the solidarity economy that hold it all together. But generally speaking there are things like community land trust[s], there are things like cooperatives, there are things like credit unions that ultimately aren't seeking to make profit but really provide for what people need.

And, in some of this [and] in thinking about the climate crisis, I think part of what's so important about what people are doing on the ground in their own neighborhoods and building these institutions that really provide for their needs is in part because of the frustration that we see in the political system and really significantly addressing the climate crisis in the court system. More than anything, I think it recognizes the need to shift power and to actually be very clear that capitalism in many ways is the enemy of our planet, of nature. Naomi Klein and a number of scholars have said this, but that we have to actually address and confront capitalism, ultimately, if we're going to get serious about addressing the climate crisis.

Heterodox economics I think offers us many ways to think about that. Ultimately what I'd like to suggest is that solidarity economy is one way for us to do that. Specifically for lawyers, support[ing] solidarity economy and other types of initiatives that simply embed different values that address the needs of frontline communities who are hit hardest by the climate crisis is one way for us to really address that today and help ultimately support those communities to build power in addressing their own issues and being able to build out supply networks and systems that can provide for their needs on a much more local level.

**Dan:** Great. Thank you. I'm going to come back with a few questions after both of you had a chance to speak, but that was really intriguing. **JB,** do you want to go next? Well, you have to go next, there's nobody else.

**Jose "JB" Tengco:** All right, I'm going to share my screen here. My name is JB Tengco. I work with an organization called the BlueGreen Alliance (BGA). I will tell you a little bit about us. For my background, you heard some parts of it. I'll also say that I went to Cal—so "Go Bears!"—as well, so I'm glad to be here. BGA, BlueGreen Alliance, is an organization [that is] around fifteen plus years old that brings together labor and environmental groups to address our environmental challenges in a way that creates and maintains good jobs.

The history of BGA started when the head of the Sierra Club, a guy named Carl Pope, and another person who ran the steel workers, Leo Gerard, found themselves often in similar meetings federally, and found that if they had gotten to speak together before they got to those meetings [they] could accomplish so

much more. From that conversation and many more, BGA has since grown to represent several labor unions. BGA also represent[s] some in the industrial sector, in the construction trades, in the service and the public sector. And then a lot of the large environmental organizations, generally called the Big Greens, through the Sierra Club, NRDC [Natural Resources Defense Council], Environmental Defense Fund, and then others joined.

That's the membership at the federal level, just to give you a little detail of where we are in multiple states. But our state tables are somewhat similar in that they have labor and enviro[nmental groups], but then they also have different configurations of labor and environmental groups who are really critical to the state. And then along with that, we, at all those levels, particularly at the state level, work with often our environmental justice and equity partners to at least drive similar policies that we hope really address the needs of communities and workers.

As a quick background, we're in seventeen states. As Dan said, I used to run our western states. Most of our work is focused in the West, the Midwest, and then increasingly on the Eastern Seaboard. When we look at transition policy, the way we really think about transition policies [is that] it's two parts of a balancing act. Earlier today, I think Kate, Louise, and Alegría as well really mentioned both of these components.

On one end, as we look at building the new economy, [we need to consider] how we do so in a way that proactively provides family-sustaining jobs and with access for people of color, low-income communities, and other target communities. And at the same time, as we look at that, and often when we talk about just transition, it is often focused on this other side of the seesaw, which is addressing the needs of workers and communities who are being impacted by the transition. Often, I raise that because we'll hear this term just transition, and so much of it will focus on what is the safety net, [which is] what do we do about workers and communities. By no means am I trying to minimize that, and to some extent I think Louise and Kate had mentioned some of these things.

Really where I'm trying to focus this conversation is really on where we [are] headed [with] the proactive job side of the equation. Because in many ways as we look [at] how we create strong middle-class jobs through these workforce policies, those types of policies and those concepts are really the foundation for any sort of transition success. BGA's work generally lands in nine issue areas around the clean economy. These areas [include] offshore wind, manufacturing, clean buildings, transportation, [and others].

For us, I'll say that one of the [reasons] why we tend to focus on these areas, particularly around the transition to the new economy, the clean economy, [is] these are the intersections where you find labor and environmental [overlap]. That said, these aren't necessarily the strategies that might work in a place-based approach, as you heard earlier today. As an example, if you're in coal country, the new economy or whatever you may move to in coal country may not necessarily be in clean energy or solar.

Often there's this belief that the transition will be one to one: from [one] energy sector to another energy sector. And even a one to one approach, meaning that [when] one big industry leaves, we're going to bring back another industry, to [revisit] the conversations earlier today with Kate and Louise, I think one of the things we see is clearly that's not the case. Rather, it might be a series of multiple new industries that need to fill the need of an existing industry.

When [BlueGreen] approach[es] the work, one of the things we recognize is that not all new jobs are always good jobs. The UC Berkeley Labor Center did a report, and my background, as you might have heard a little bit earlier, is I come from labor. I used to work at our state AFL [American Federation of Labor and Congress of Industrial Organizations], and then went to the clean energy [sector] both for a startup and then ultimately government affairs firm, and then at BGA.

As we talk about that [and] as we talk about creating these jobs, one of the things that particularly in the labor community we recognize [is that] not all new jobs are good jobs. And so often the conversation about "we're going to create all these jobs," doesn't necessarily mean that they're going to be good. Just to take a step back again, from a labor perspective, the Labor Center ha[s] done an analysis where [it] looked at the same job, one that was unionized and one that wasn't.

The [report] looked at a series of different jobs along the line, [the] exact same job. The [research] held for all the [variables] you hold for—education, gender, ethnicity—and what the [report] found that is if you were in the non-union job (again, the same job) you were most likely to make 20 percent less, you were 50 percent less likely to have healthcare, and [you were] 60 percent less likely to have a path to retirement.

And so, with that, as we look at how we transition into this new economy, one of the things that we really discuss and you heard earlier today, is how [we are] proactive about ensuring that those jobs are good jobs. I've known Kate a long time, both now that she's at DOE and also when she was at OPR [in California], as well as Louise. What we see is this increasing understanding from agencies that they have a real role in creating good jobs, be it DOE [or] be it at ARB here, [and] that we need to ensure that the way you do that is a dedicated approach to ensuring that whatever you do has policies embedded in creating those good jobs.

I think Kate just linked to this report. This report, *Putting California on the High Road*,<sup>1</sup> is really one of those concepts of how we create good jobs by looking to invest in high road companies, in high road industries, that look at really trying to create good products that invest in their workers. Why this concept is really critical is [that] often when you hear about clean workforce policies and concepts, it's often on the supply side: we're going to train a lot of

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<sup>1</sup> CALIFORNIA WORKFORCE DEVELOPMENT BOARD, *PUTTING CALIFORNIA ON THE HIGH ROAD: A JOBS AND CLIMATE ACTION PLAN FOR 2030* (2020).

people, and that's it. And so, what that really feels like is you're training a lot of people [to] teach them how to dance, but no one's asking them to dance.

What you need to couple within that is a specific guideline or set of strategies that say, "As we invest in building a new economy, invest in companies, if you're going to use public sector dollars, we need to have a series of strategies aligned with that to ensure that we are creating opportunities to get good jobs." At BGA, as we look at that, we think of it from a climate perspective as two strategies in one.

You may have the climate policy [of] 100 percent clean energy [through] cleaner transportation, cleaner buildings, cleaner manufacturing, and so there's a goal that might be set. So, in California, Oregon, Washington, Nevada, and Colorado, we've worked on creating policies there. All of those states now have 100 percent clean energy goal[s] and are building new renewable energy facilities and are looking at new forms of cleaner energy.

And so, while that might be the goal, as we look to reach those goals and as we invest in creating incentives [to] ensur[e] that we get to 100 percent clean energy, what's also embedded in those series of policies are these concepts of demand side levers. What is the quality of the job? What's the skillset that goes with the jobs? What are the wages, be it some sort of prevailing wage or living wage? How do we ensure that there's access for targeted hires within that, [along with] ideas around domestic content and community benefits that Renee had mentioned?

Really, as we look at how [we] get to moving these sets of policies that move us in the clean energy economy, we need to couple within those exact same policies these demand side levers, which is new in many ways for the clean economy [as compared to] 2008 with the last Recovery Act to now with hopefully something that passes out of Build Back Better. Embedded with a series of all those policies are both a combination of ensur[ing] we're getting to a cleaner economy, but at the same time, ensuring that there are these demand side levers that are associated with that.

From BGA's perspective, bringing these two strategies to bear, I've been lucky to see it play out across a number of different sectors. We've seen just in the last year alone, half, more than twenty-plus policies [that are] now laws have looked at how we build new, 100 percent clean energy in Oregon with workforce standards.

And I picked that bill specifically because that concept, which is really fascinating, is unlike the Nevada, Colorado, Washington, and California sets of policies. [For] Oregon last year when we started discussing the policy, that was really a conversation led by labor and EJ to think through, how do we ensure that Oregon continues this clean energy mix, but at the same time really focuses and ensures that workers and community are at the heart of that.

So, what we see now as we move forward with again, hopefully, what comes out of Build Back Better, but also within state policies themselves, [is]

this idea of marrying both the climate policy and dedicated workforce policies to ensure that we create good jobs. That's me.

**Dan:** Great. Thanks a lot. I thought both of these are really interesting presentations. They represent different approaches. I think the first one is sort of bottom-up from the community level and the other approach is starting at the policy level and then trying to move down. I wanted to ask a few questions just to give you a chance to fill in a little bit about what both of you are doing and also maybe how they might relate to each other. People in the audience should please feel free to put questions in the Q&A.

As soon as we develop a queue there, I'll be turning to that, but I'm sure the panelists themselves have quite a bit more to say.

#### COMMUNITY DEVELOPMENT WORK

**Dan:** Let me start with Renee. Could I ask you to just fill in the picture a little bit about the work you're doing with co-ops and credit unions and other organizations and how that's addressing community development and the need for jobs and good jobs and other benefits for the community?

**Renee:** Sure. So, my clinic at UIC Law School provides free legal support to solidarity economy initiatives here in the City of Chicago and in the State of Illinois. We have a range of clients. A lot of our clients are worker co-ops, meaning businesses in which the workers own and control and manage the business together. We also represent [clients] like mutual aid organizations or community-based organizations. We work with intentional living organizations that are trying to create affordable housing that also incorporates the needs of its residents in different ways. We work with housing cooperatives and a wide range [of clients], I would say.

[G]enerally speaking, I would say very directly a number of our co-op clients, for example, have faced exploitation, harassment, wage theft, [or] sexual harassment in the mainstream economy or in the formal economy in one way or the other. And that actually was the motivation for them to start their own worker co-op using the same skillsets that they were using as an employee in other places.

We also work with a number of undocumented entrepreneurs in part, because while unable to access employment opportunities, they absolutely can be a[n] owner of a business and run a worker co-op alongside other worker members, and it gives them opportunities to own their labor, to set their working conditions, [and] to make real decisions about what it looks like when they go to work every day. And so that's also some of the work that we do.

Legally speaking, a lot of that work is helping people start new types of co-ops or enterprises or sometimes experiments. Also, any other legal needs that they have. Sometimes it's things like trying to manage or understand just the regulations of the industry. We do a lot of contract work. Pretty much any and everything that doesn't require us to go to court. That's what we're seeing.

And I will say a lot of our clients are specifically women of color, immigrant women who bear the brunt, I would say, and are often disadvantaged in the mainstream economy or are directly from oppressed communities. Some of them are very intentional about the ways in which they're running their business. Some of them lead, for example, I think with specific political ideologies. Some of them lead with the needs of their very local community and [are] doing things like free gardens or things like that, or finding other ways really to provide for direct needs.

We've seen a lot of this with the pandemic, I would say, in which there were community associations who started to provide emergency assistance in a range of things, in a range of ways, and [who organized] around mutual aid as well. So, maybe one case study that I could provide, [is that] we currently represent a worker co-op that is a clothing manufacturer, Blue Tin Production co-op, and they are owned by refugee women. Ultimately, the workers themselves not only own and operate the business together and make decisions for the business together, but they are very intentional about the needs of their worker owners.

For example, internal to the worker co-op, they provide things occasionally like transportation or childcare. They're really thoughtful about those types of things. They also provide residual benefits to the overall community, but they're very clear that they want to disrupt the fashion industry, and the way in which the fashion industry globally exploits a lot of Black and Brown people specifically in sweat shops across the globe, and the way in which women in particular often are the folks who are most exploited by that particular industry.

And so, not only do they talk about this often when they get pressed or things like that, but they are actively living an example of how you would do this and organize this differently. They're now actually working to build out a community space as they enter a new space where they're going to be doing a lot of their work.

**Dan:** Thanks. That's really helpful. I was wondering whether you see a role for top-down policies of various kinds to intersect with the work you're doing, or whether you see that as just sort of a different universe.

**Renee:** No, I think that. . . it's a, "both and," for me. [laughs] When it comes to the climate crisis, I think we all have to recognize that we simply aren't living up to the task of what this moment I think compels us to do. And I say the "we" is both the [U.S.] government [and us as individuals]. I think globally we see a failure—recently, at COP26 [the Twenty-Sixth United Nations Climate Change Conference], to come away with any meaningful commitments. Also, I think we have to recognize that frontline communities are living in crises every day. They are perpetually in crises, and that, currently, the current arrangement or our current economy isn't serving everyone very well either.

And so, I see it as a, "both and." I think that we have to continue to organize to hold the government accountable. We have to continue to think about very practical strategies and policy changes that get us closer, but also at the end of the day, that regular folks who are concerned about the climate or our planet have



to also organize, build power, and provide for themselves in the meantime because the current situation isn't necessarily one that's all that great.

I think building institutions that are owned and controlled by communities locally is an important piece of this, but it's kind of, for me, I think a[n] all hands on deck. We also obviously need to engage in policy as well. And there are ways in which to do that, that feeds some of the grassroots organizing or the solidarity economy movement, but more broadly, actually tries to shift our mainstream economy in more fundamental ways.

**Dan:** Great. Thanks. JB, I thought maybe I'd try to bring out some aspects of what you're doing that may or may not relate to the community-based issues that Renee is talking about. I think you touched a little bit on community development issues or community benefits in your presentation, but I was wondering if you could say a little bit more about that and the kind of work that you've been doing in that domain.

**JB:** Sure. And I would say just even to take a step back that, particularly as I put on my labor hat on for this question, that the idea of how we transform and how we create jobs is inherently tied to how we look at the needs of communities, particularly from a worker perspective. As an example, we worked on policies around trucking.

As we move to zero-emission trucking, the ideas of putting cleaner trucks on the road, particularly as they tend to run through Black and Brown communities, [for] one, has a transformative impact on just the community itself already, but also to the extent that as we look at, in putting on the labor hat to this, ensuring that how we do that and how we create good jobs and how we ensure that we're creating access to those jobs in a way that pays good wages, provides healthcare and all this for the other sets of policies that we're working to ensure is also transformative from a people of color perspective.

In the trades in California as an example, because I think I'd mentioned that I come from, I live in San Francisco, I ran over some states, have done a lot of work in California politics. Seventy percent of the apprentices in the construction trades are people of color, and that's over the last decade or so, which means that you're increasingly also seeing the journeyman—the folks that have graduated from the apprenticeship programs now also represented are people of color.

Within that, we've also structured a series of pre-apprenticeship programs, which are ways of ensur[ing] that we're creating a pipeline of folks that, again, get into the trades that then go from a pre-apprenticeship program to an apprenticeship program into the trades. All with this idea that, if you provide a good wage and provide healthcare and provide benefits, what have you, that all of that is transformative. And so, I'd say that how we approach the climate crisis, particularly from the jobs aspect, does really tie to, at the end of the day, trying to think through its impact in the community, but particularly, from a workforce perspective.

In some ways, I think, particularly, too, if you talk to a lot of labor lobbyists, as they talk about the big picture of their policies, often when they really go to,

well, “what did this mean?” It often bottom lines into, “I think I was able to help these people this way, and then they’ll tell you their war stories of ‘why this actually had this awesome . . .’ and help someone at the end of the day.” And so, in a way, I think just to point about trying to bridge the two, at least from this philosophy of how we address the needs of workers and particularly around targeted communities, I think a lot of our work is trying to be in that intersection with that end goal.

#### AREAS OF FOCUS IN THE MANUFACTURING SECTOR

**Dan:** Great. This is outside of your geographic region, but I did notice you had Illinois on your list, I think under special projects or something like that, and since Renee’s working in Illinois too, I was just curious about what you folks are doing there if it’s something you’ve followed.

**JB:** So, in Illinois, there are a couple things, primarily though, we are looking [at] the manufacturing side. One of the policies we really focused in [on] is domestic content and ensuring that, as we build the next generation of stuff, that we do so in a way, that’s in states.

And as part of that, again, aligning to the workforce side of access, creating these sets of policies, ensuring that, as we build out these manufacturing sectors or reindustrialize or look into these industries, that’ll come up. How do we ensure that, again, there’s access to that? Some of that work is in Illinois broadly and supporting some of our work in the Midwest around the clean economy.

**Dan:** Interesting. Renee, are you seeing, I don’t know, increased interest or activity in manufacturing, or is that something in the South Side or in Chicago? Or is that something that’s maybe down the road?

**Renee:** I think a lot of what we’re—around manufacturing here in Illinois, at least, [with] some of the strategies and spaces that I’m in—really looking at cooperative conversions and looking at how to address the “silver tsunami.” As a number of Baby Boomers retire and own manufacturing businesses, that ultimately—in Illinois there was a study done a few years ago and there’s several hundred businesses in which the owner will be retiring in the next ten years—[we are] looking for opportunities to get the workers to buy out the owner and trying to actually intervene upfront and initially in a way in which that would be possible before some of those businesses actually go out of commission because there’s no succession plan that that owner has, or there’s no family member ultimately that wants to take over the business, or they’re looking to sell. But [we are] trying to intervene in a way in which [we can] structure a deal where the workers now can buy them out and become a worker co-op in the future.

And so, we have one really good example of that which was a little bit different—[that] is New Era Windows, which was a factory takeover. It was a situation in which the owner was looking to sell the business, or it was going out of business. The workers occupied the factory for several days, and through a period of several years and the business changing hands, ultimately, a deal was

structured where the workers bought the business and now run it as a worker co-op here. There's actually a documentary on their process. If folks are interested, I'll find the name of it.

That's a lot of what folks are looking to do right now, I would say, around manufacturing. And then there's also really interesting case studies, for example, in Detroit, where there's community production with fabrication labs where people are using fabrication labs, which are like next-generation 3D printing, but a fabrication lab that is ultimately run by [a] community-based organization that they're using to make low-cost affordable housing.

They are using the equipment to create modular housing that can be constructed really quickly, very affordably, and actually give people who are unhoused places to live. Those are also some of the interesting things, like the ways in which we see communities trying to actually take hold of the means of manufacturing or production in that way. And sometimes to make products that they might need, there's similar case studies right now that are coming out of Jackson, Mississippi, with Cooperation Jackson and how they've used their fabrication lab as well.

**Dan:** Really interesting. I hadn't heard the phrase "silver tsunami" before, but, certainly, once you say that, there's certainly some reality behind it. Yeah, that's really interesting. Of course, that's not going to be an issue that's limited to one part of the country. It's going to be quite broad. I think I've read studies showing that a large number of small businesses don't have succession plans and that many of them don't survive, or don't long survive, the loss of the initial entrepreneur who was running the business. That seems like an intriguing approach to dealing with that problem.

**Renee:** Yeah, the other thing I would just mention: the pandemic has caused some really interesting conditions around this. There are efforts right now to help workers buy out owners of closing restaurants. So, I would say a lot, a lot of the co-op economy here in Illinois or Chicago, a lot of the solidarity economy, I think to a certain extent is service-based. We see a lot of service businesses, although there are manufacturing businesses as well.

But there's a real effort right now to help workers buy out owners who ultimately have to fold for one reason or [an]other during the pandemic, specifically for restaurants. And so, that's part of one strand of organizing that's happening right now in Chicago, [and] I think in other places as well, as these businesses ultimately can't keep up with their operating costs. Most of [these costs are] sometimes their employees. Is there a way, is there an opportunity there, for the workers to actually take a[n] equity stake, [to] ultimately become the owners and the operators of these businesses, and to be able to sustain and share in the profits long term?

**Dan:** Yeah, very interesting. I think I've heard occasional stories about things like that, but just sort of like little newspaper pieces, something like that. It's very interesting to hear about this more widespread phenomenon.

## THE ROLE OF UNIONS IN THE GREEN TRANSITION

**Dan:** Switching back to JB, I'm wondering, what's the feeling about the opportunities that the green transition may create for unions? Could this be a turning point for unionization in the [United States], or how do you view the outlook?

**JB:** I think, yes, for on the union side, and then I think also again, regardless of these sets of policies providing work, providing access for unions—these investment schemes are really about trying to get the money into communities with workforce standards and access associated to it. On the union side, both from construction into the clean economy [to] revitalizing manufacturing, I think we see, or we hope to see, a lot of opportunities around that.

It's been a centerpiece of President Biden's plan as well, and in terms [of the] elements of Build Back Better, it actually happens around building up the clean economy and then doing so in a way that has workforce standards with it, which then also ideally creates pathways for folks to get into union [and] support unionization. I think it's definitely a path that's ideally helpful for unions, but at the end of the day, is also something that's good for all working families.

**Dan:** Yes, I noticed that the coal mining union, I guess UMW [United Mine Workers] in West Virginia, was pushing [Senator Joe] Manchin to get on board. I thought it was an interesting development. It's unfortunately not—well, I was going to say not successful. Maybe that does account for his being more open to some parts of Build Back Better than others.

**JB:** No, I mean, if he doesn't go our way, it's not because of—I think he has other voices that are speaking to him that aren't really as much worker- [and] community-based.

**Dan:** Yes, right. [chuckles] I think that's probably fair to say, very diplomatic.

**JB:** I was going to go one way, then I realized, "Oh, this thing's being taped." [laughs]

**Dan:** In terms of unions, one recurrent issue in California has been that unions have been resistant to some parts, for example, expansions of rooftop solar or other things, because PG&E is unionized and standalone generation firms or solar farms or rooftop solar installers often are not. That's been kind of a sticking point I think on a number of very specific energy-policy issues. Do you have ideas for how we can get past that hang up?

**JB:** I'd start with, I don't particularly think, that on that end, that the issue around rooftop solar, and I imagine, you're referring to this issue around net metering which is what's—

**Dan:** That's one of the things, yes.

**JB:** But on the front end, California has gone through and was the first state in the country to get to pass a 100 percent clean energy bill, and so we went through an iteration of SB 33. We went from 20 percent to 33 percent RPS [renewable portfolio standard], to 50 percent RPS, to 60 percent RPS, with a 100

percent clean energy bill over a number of years on a series of legislative policies—some starting under [Governor] Schwarzenegger. The reason [that] I raise that is unions were at the heart of getting us to the 100 percent clean concepts.

Just last year, we [were] looking at producing anywhere from ten gigawatts-plus in offshore wind, and that was a bill led by the California Building Trades and Environment California. And so, I think just generally, [concerning] the concepts of renewable energy, labor and the trades have been very supportive of it as it relates to net metering rooftop. I think, in many ways, that [for] the issue of rooftop solar, we've seen labor supportive of that.

I think what's happening, specifically around the net metering conversation, is it's a very complex issue around funding, and that makes as a sensational story to say [that] labor is one of the folks that is really opposing it. Labor has raised some concerns, but so has NRDC, and so have the Ratepayer Advocates. So, a number of Ratepayer Advocates in California have raised concerns around how we fund net metering in this cost-shift argument.

We, BGA, haven't taken a position on that issue per se. There's complexity to it, but I'd say from a philosophic perspective, labor has been 100 percent behind the renewable energy, growing renewable energy, not just in California, but as I said, with the five, those five states I'd mentioned that the onset of who will all pass 100 percent clean energy bills, labor was not just at the table, but was really a driver in getting us those policies.

**Dan:** No, I wasn't trying to paint labor as—

**JB:** No, no, I know.

**Dan:** Sometimes it can be a frustrating issue that seems like there should be a constructive resolution.

#### THE PROSPECT OF GREEN CHEMISTRY JOBS

**Dan:** Let's see, we have a question in the chat, so let me switch to that. You might both want to take a look at it because it's a little bit long, but not in the chat, rather in the Q&A. "My exposure to green jobs and the green economy has certainly focused on clean energy, but this is viable everywhere, or is a job for everyone. I'm wondering if you've looked at the possibility of green chemistry jobs, which is beyond the climate crisis and includes environmental health and, ultimately, EJ implications. Does either of you have any thoughts about that?" Do either of you?

**JB:** I know somewhat [that] we've had some conversations around this issue in particular. One of the things I'd say from a job perspective, particularly also if you're in the Bay Area, [there] has been, from a work perspective, a lot of development of green chemistry [that] it might be done locally. So Emeryville is one of the larger places where you have a lot of leadership—thought leadership—on it, [but] most of the manufacturing is done overseas in that.

And so, we've participated and helped support some policies around it, but from a jobs perspective—at least from a blue-collar jobs perspective—I'd say that most of the jobs aren't here. And, in fact, what you tend to have—using Emeryville as an example—is management, sales and marketing, [and] HR that tend to be here. And it's because of that [that] we delve into some [green chemistry job development], but not as much as we have in some of the other issues around manufacturing, transportation, and/or clean energy.

**Dan:** Great. Renee, have you seen any interest in that in your area?

**Renee:** Not really. I'm not exactly sure [that] I am familiar enough with green chemistry jobs. We do have some really interesting examples of folks using co-ops or collectives here around issues of the environment. For example, there's an organization that really started around the urban growers collective here in Chicago. And now what they have, I think, successfully launched last year is an anaerobic digester. And so, while part of this is one piece of a larger sustainable plan that ultimately will be community control, I think there are interesting projects. But again, I'm not sure if I can actually speak to the question in the chat.

**Dan:** Fair enough.

#### IMPLICATIONS OF RECENT CLIMATE LEGISLATION

**Dan:** I think a lot of people out here may not be aware of it, but Illinois has had some fairly major climate legislation passed. I'm wondering if you see that as having implications for the South Side or other communities.

**Renee:** Well, I would say, yes and no. I think that one of the things that you learn as a lawyer in any field is what the law says and then how it's implemented. Keeping in mind that all of this is colored by city planning and the way in which economic development happens, there are many examples [that] I could point [out] to you right now that exist around the continued lead issue that we have in our water, to again, building public housing on a previous smelting plant which has given a number of children cancer, to the way in which we have yet to remediate certain neighborhoods here on the South Side of Chicago.

So I think that's part of it. It's a "both and" strategy. However, the policy doesn't always necessarily reach the communities that are most neglected, [that] are most disinvested from, [that] have the fewest resources, and [that] bear the largest burden of our economy.

**JB:** Just to follow up on that, I think one of the things we've seen, and the last panel touched on it as well, as we develop these sets of policies, and I can even say as we, again on 100 percent clean stuff which is similar to the Illinois legislation, that we're increasingly focused on the implementation and how [to] actually do this for a number of reasons. But particularly, for the reason Renee raised in that you set a policy—and I've joked, and I think a lot of folks in Sacramento capitals will joke about, "Well, we solved the problem. We got the pen from the governor signing." And there's a big difference between the goal that got set, the policy that got discussed, the back and forth of the sausage

making to actually getting it to implement it, and so, I could say even from the BGA perspective, there's a much stronger focus in our work on, "All right, we got the thing passed, but how do we make sure this thing actually works and gets to the goals we had hoped it'd achieve?"

**Renee:** I think that's exactly right.

**Dan:** Yeah, I do too. That's one of the major focuses of our Environmental Law Center is that, that step between law as it's written and reality on the ground. Well, I want to thank you both for talking about your exciting work. I've learned a ton about it, and I'm sure that other people in the audience have too. Brock, I don't know if you wanted to close off the event or how you wanted to do this?

**Brock:** Yes, thank you. I really appreciate you taking your time today. I'd like to take this moment to thank all of our moderators and panelists in joining us in this discussion of the just transition. We had another panel scheduled that we were very excited about later today. It features all Black women speaking about just transition [and] the particular concerns of communities of color. Unfortunately, a conflict came up. We're looking to reschedule that at some point in the coming weeks. We'll follow up with additional details when we have them available, but thank you so much for everyone who joined us today. Really appreciate it. Thank you all.

**Dan:** Thank you.

