



Illinois Shines Minimum Equity Standard Compliance Plan and Waiver Request Training

March 31, 2023

Today's Presenters



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Agenda

- Overview of Equity Accountability System
- Compliance with Minimum Equity Standard
- Energy Workforce Equity Portal
- MES Waiver Process
- Resources and Questions



Scope

- This presentation is intended for Utility-Scale Suppliers and will not cover requirements for Illinois Shines
- Approved Vendors in Illinois Shines should refer to the March 13 presentation on the program website



Equity Accountability System

Equity Accountability System (EAS)

The Climate and Equitable Jobs Act created an Equity Accountability System that gives:

"**priority access** to the clean energy economy for business and workers from **communities that have been excluded from economic opportunities** in the energy sector, have been subject to **disproportionate levels of pollution**, and have disproportionately experienced **negative public health outcomes.**"

The Equity Accountability System includes:

- EEC Category of ABP
- Minimum Equity Standards
- Prioritization of bids within competitive procurements

Minimum Equity Standard (MES)

10% of workforce
in 2023



30% of workforce
by 2030



Equity Accountability System (EAS)

Section 1-75(c-10)(3) of IPA Act:

"the Agency shall develop requirements for ensuring that competitive procurement processes,... advance the equity goals of this subsection (c-10). ... the Agency shall develop bid application requirements and a bid evaluation methodology for ensuring that utilization of equity eligible contractors... To the extent practicable, entities participating in competitive procurements shall also be required to meet all the equity accountability requirements for approved vendors and their designees."

2022 Long-Term Plan provides:

- Bidders must commit to meeting the Minimum Equity Standard
- Equity Eligible Contractors that bid into Indexed REC procurements are deemed to be in compliance with the Minimum Equity Standard
- Successful bidders must submit a Compliance Plan (see upcoming slides)
- A bid evaluation price adjustment that increases as the portion of contract value flowing to equity eligible persons or contractors increases above the minimum equity standard



Minimum Equity Standard (MES)

A Minimum Equity Standard is the minimum percentage of project workforce for participating projects that must consist of equity eligible persons.

Beginning in Program Year 2023-2024, at least **10%** of project workforce for each selected project must be comprised of Equity Eligible Persons (EEPs).
MES will increase to **12% for Program Year 2024-2025**.

Utility-scale projects must meet the MES in place at the time the project bid was selected – thus, projects selected in the upcoming procurement must meet the 10% standard.

Minimum Equity Standard (MES)

10% of workforce
in 2023



30% of workforce
by 2030



Minimum Equity Standard (MES)

- What is required to comply with MES?
 - Selected projects must submit a Compliance Plan explaining how the REC Seller plans to achieve the MES
 - Due by start of Program Year in which construction activity occurs on the project
 - Mid-year report to track progress
 - End-of-year Report documenting that the REC Seller did in fact achieve the MES
 - Including documentation of the Equity Eligible Person status of relevant workers
 - Submitted annually during years in which construction occurs on the project
- The IPA may grant waivers of MES requirement in rare circumstances



Who are Equity Eligible Persons and Contractors?

Equity Eligible Persons:

1. Participants in certain job training programs located across the state
2. Graduates of or currently enrolled in the foster care system
3. Formerly incarcerated individuals
4. Persons whose primary residence is in an equity eligible investment community

Equity Eligible Contractors can be:

1. A business that is majority-owned by Eligible Persons,
2. A nonprofit or cooperative that is majority-governed by Eligible Persons
3. An Eligible Person offering personal services as an independent contractor.

Project Workforce

Who:

- Employees
- Contractors and their employees
- Subcontractors and their employees

What Kind of Roles:

- Development
- Construction
- Operation
- Administrative
- Sales and Marketing

Only includes work performed in Illinois, regardless of residency of workers.



Compliance Planning and MES Begin With 2023-2024 Program Year, and Process Repeats Each Year



The Agency proposes to increase the minimum equity standard to 12% for the 2024-2025 delivery year. In the next Long-Term Plan, the Agency will propose future increases of the minimum equity standard over subsequent delivery years to eventually reach the 30% statutory requirement by 2030

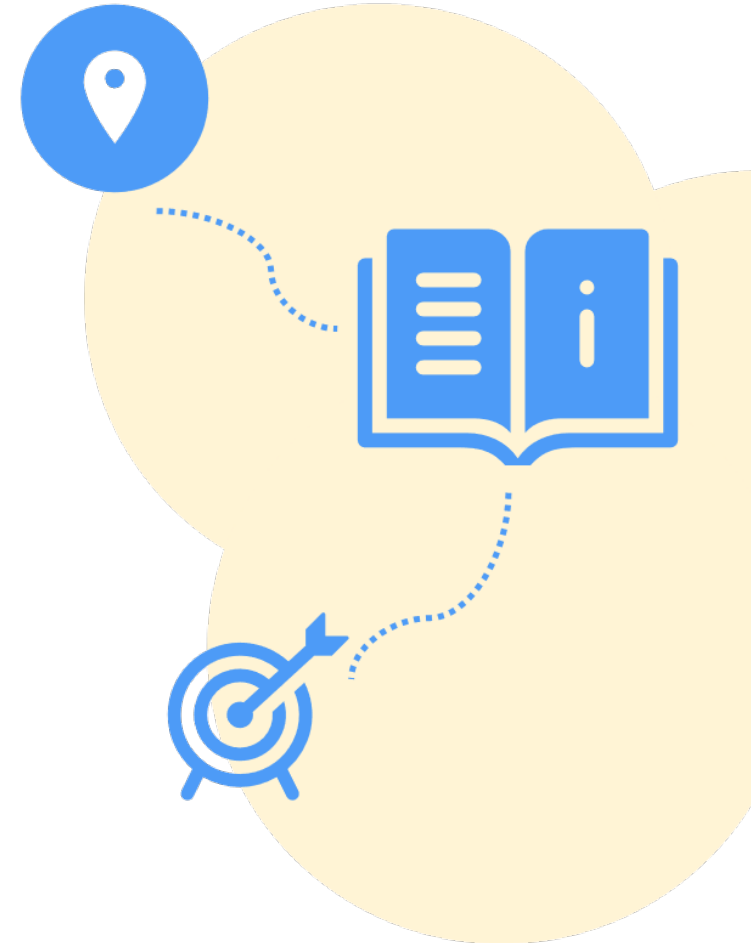


MES Compliance

Compliance Plan Overview

By June 1, 2023, all REC Contract holders (except EECs) are required to submit MES Compliance Plans.

- Plans must describe how the entity plans to achieve the minimum equity standard for the upcoming delivery year
 - E.g., the Compliance Plans submitted on June 1, 2023, will explain how the Seller plans to meet the 10% MES for all projects selected through a procurement in the 2023-2024 Program Year.
- Contract holders must amend and/or correct Compliance Plans after review by the Program Administrator (within 14 days)




Compliance Plan Requirements

Compliance plans must include the following items:

- i. A statement of intent to comply with equity accountability standards for the applicable delivery year
- ii. A narrative description of how the applicant will meet these commitments.
- iii. Projected number of workers and the demographic breakdown of current workforce.
- iv. Plans for the use of Equity Eligible Contractors, if applicable.
- v. Applicant classification (i.e., Minority-owned, Woman-owned, Disabled-owned, Veteran-owned, Small Business, etc.), if applicable.
- vi. Communication plan for local outreach to increase the utilization of Equity Eligible Persons and Equity Eligible Contractors.
- vii. Status of any corrective actions or adjustments from prior year Compliance Plans.

Compliance Plan Submission Process

- IPA will provide a virtual form for MES Compliance Plans shortly, to be posted on the Program website and bidder portal.
- Compliance Plans must be submitted for each year in which construction activity occurs
- The submission window will open in April; **all plans due by June 1st.**


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Minimum Equity Standards Compliance Plan
Upon completion of this form, please upload it to the program portal, in the section designated "MES Compliance".

Approved Vendor Information	
AV or Designee Company Name	
AV or Designee ID #	
Name of Person Completing Form	
Email of Person Completing Form	

Do you intend to submit projects to Illinois Shines during the 2023-2024 program year? Yes No
If you answer "no", you do not need to complete the rest of this form.

affirms its intent to comply with all necessary requirements of Act 102-0662 (Climate and Equitable Jobs Act) relating to the Minimum Equity Standard and agreed obligations, including hiring a diverse project workforce and working with Equity Eligible Contractors.


Yes No

Please type the name of the individual agreeing to the above attestation.

Today's Date:

Please select any of the following categories that apply to your business

- Minority-owned business enterprise (MBE)
- Woman-owned business enterprise (WBE)
- Disabled-owned business
- Veteran-owned business
- Small business
- None
- Other (comment box to fill in)

 Illinois Shines Program Administrator admin@illinoisabp.com and (877) 783-1820

Please provide a narrative description of how the AV will ensure that at least 10% of its project workforce are Equity Eligible Persons.

Projected total number of employees/workers on ABP projects during the 2023-2024 program year

Demographic breakdown of projected workforce
Please provide an estimate of the number of individuals that belong to the following demographic groups:


- Male
- Female
- Other/Non-Binary
- White
- Black or African American
- American Indian or Alaska Native
- Asian
- Native Hawaiian or other Pacific Islander
- Hispanic or Latino
- Multiracial

Estimated Number of Equity Eligible Persons **currently** in project workforce, per category

- Persons who graduated from or are current or former participants in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.21 of the Public Utilities Act.
- Persons who are graduates of or currently enrolled in the foster care system
- Persons who were formerly incarcerated
- Persons whose primary residence is in an equity investment eligible community
- I don't have this information

Number of Equity Eligible Persons your organization **seeks to hire** to meet MES Compliance over the Program year, per category

- Persons who graduated from or are current or former participants in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.21 of the Public Utilities Act.

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Compliance Plan Assessment

Compliance Plans will be evaluated on the following scale:

1) Needs Development (a rating of 1)

The plan will not be accepted without updating of or inclusion of requirements that need resolution or are missing. Sellers will need to review, correct and/or include missing compliance items in order for the Compliance Plan to be approved. Indicates risk of non-compliance.

2) Accepted (a rating of 2)

The plan will be accepted. Indicates that all compliance requirements are in place for Compliance Plan approval.

3) Exceeds Requirements (a rating of 3)

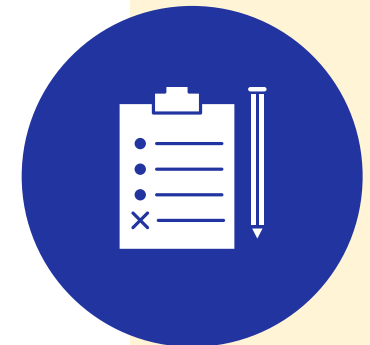
The Compliance Plan will be approved. Indicates that the entity has committed in their written plan to include more Equity Eligible Persons and Equity Eligible Contractors in the project workforce than required by the MES. The Compliance Plan demonstrates a specific strategy to ensure that level of participation.

Compliance Plans Needing Development

Example reasons a Compliance Plan may receive a rating of 1 and **Needs Development**:

- Narrative description of how entity will meet MES is limited or provides little detail
 - E.g., simply states "The Contractor will post job posting to several websites."
- Demographic information provided for workforce is missing or incomplete
- Missing any of the reporting requirements outlined in 10.1.1.4 of the Long-Term Plan

Correction Timeline: After notification of any necessary corrections within 14 days of Compliance Plan submission, the entity will have 30 days to amend the plan (extensions will be granted on a case-by-case basis) and the Agency will notify entities of the final re-evaluation status within 21 days of resubmission.



Compliance Plan – Sample "Needs Development"

1) Insufficient narrative description of plan to ensure minimum 10% EEP workforce composition

Please provide a narrative description of how the AV will ensure that at least 10% of its project workforce are Equity Eligible Persons.

Company X will make its best efforts to comply with the MES requirements, including job postings and ads.

Projected total number of employees/workers on ABP projects during the 2023-2024 program year

3) Insufficient detail on outreach communication plan

Please describe your communication plan for local outreach to increase the utilization of EEPs and EECs.
Please try to keep your response to one page.

The Communication Plan for Outreach might answer questions such as:

- What is the entity's overall plan around outreach?
- What messaging will the entity utilize?
- Which organizations (community colleges, unions, non-profits, etc.) will the entity reach out to and coordinate with?
What is the timeline for that outreach?
- What are your plans to use social media and other communications for outreach?
- What is the entity's plan for following up on its outreach?
- What course correction do you plan if you are insufficiently recruiting EEPs?
- Where will you post job openings?
- Will you offer job shadowing/mentorship opportunities for position exposure?
- Are there townhalls and workshops held to advertise your company need?
- Have you considered language accessibility needs to reach everyone in the community?
- Have you reached out within your own firm for potential candidates?

1. Spoke with Community Based Organization on 5/15/23
2. Registered to utilize Energy Equity Database on 5/27/23

2) Incomplete demographic data on project workforce

Demographic breakdown of projected workforce

Please provide an estimate of the number of individuals that belong to the following demographic groups:

Male
 Female
 Other/Non-Binary
 White
 Black or African American
 American Indian or Alaska Native
 Asian
 Native Hawaiian or other Pacific Islander
 Hispanic or Latino
 Multiracial

Estimated Number of Equity Eligible Persons **currently** in project workforce, per category

Persons who graduated from or are current or former participants in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.21 of the Public Utilities Act.

Persons who are graduates of or currently enrolled in the foster care system

Persons who were formerly incarcerated

Persons whose primary residence is in an equity investment eligible community

I don't have this information

Compliance Plan – Sample "Accepted"

Sample Compliance Plan* that would likely receive a rating of 2, with all details completed, including descriptive narrative of plan to ensure minimum 10% EEP workforce composition, 2) Complete demographic data on project workforce; and 3) Sufficient and thorough level of detail on outreach communication plan.

1) Sufficient narrative description of plan to ensure minimum 10% EEP workforce composition

Please provide a narrative description of how the AV will ensure that at least 10% of its project workforce are Equity Eligible Persons.

Company X will survey all current & new employees to understand if they fall into EEP categories. We plan to partner with local organizations to promote any open positions to applicable groups.

Projected total number of employees/workers on ABP projects during the 2023-2024 program year

3) Sufficient detail on outreach communication plan

Please describe your communication plan for local outreach to increase the utilization of EEPs and EECS.
Please try to keep your response to one page.

The Communication Plan for Outreach might answer questions such as:

- What is the entity's overall plan around outreach?
- What messaging will the entity utilize?
- Which organizations (community colleges, unions, non-profits, etc.) will the entity reach out to and coordinate with? What is the timeline for that outreach?
- What are your plans to use social media and other communications for outreach?
- What is the entity's plan for following up on its outreach?
- What course correction do you plan if you are insufficiently recruiting EEPs?
- Where will you post job openings?
- Will you offer job shadowing/mentorship opportunities for position exposure?
- Are there townhalls and workshops held to advertise your company need?
- Have you considered language accessibility needs to reach everyone in the community?
- Have you reached out within your own firm for potential candidates?

Company X will conduct the following outreach methods to promote open positions to potential EEPs:
- Email/phone outreach to XX Community College by 7/2023 to offer job shadowing opps to recent graduates
- Posting open positions on LinkedIn, Indeed, and other job searching sites, as well as holding "town halls"
- Consistent use of IPA's Energy Workforce Equity Portal to connect with EEPs and EECS
- Contact 5 local Community-Based Organizations about job opportunities by September 2023, asking them to post on their own job boards or offering to present at a future membership meeting

Company X's messaging will share information about our business, and commitment to diverse, inclusive hiring. We will use multi-lingual flyers and incorporate diverse representation in appeals to job seekers.

Company X is developing social media campaigns with calls to join our growing and diverse team.

Company X will frequently check in on and evaluate progress on the above. All new hires will be surveyed to understand whether they fit EEP criteria, and we will continually monitor progress toward the 10% MES goal.

2) Complete demographic data on project workforce

Demographic breakdown of projected workforce

Please provide an estimate of the number of individuals that belong to the following demographic groups:

- Male
 Female
 Other/Non-Binary
 White
 Black or African American
 American Indian or Alaska Native
 Asian
 Native Hawaiian or other Pacific Islander
 Hispanic or Latino
 Multiracial

Estimated Number of Equity Eligible Persons **currently** in project workforce, per category

- Persons who graduated from or are current or former participants in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.21 of the Public Utilities Act.
 Persons who are graduates of or currently enrolled in the foster care system
 Persons who were formerly incarcerated
 Persons whose primary residence is in an equity investment eligible community
 I don't have this information

Number of Equity Eligible Persons your organization **seeks to hire** to meet MES Compliance over the Program year, per category

- Persons who graduated from or are current or former participants in the Clean Jobs Workforce Network Program, the Clean Energy Contractor Incubator Program, the Illinois Climate Works Pre-apprenticeship Program, Returning Residents Clean Jobs Training Program, or the Clean Energy Primes Contractor Accelerator Program, and the solar training pipeline and multi-cultural jobs program created in paragraphs (a)(1) and (a)(3) of Section 16-108.21 of the Public Utilities Act.

***The Compliance Plan is not yet developed; this sample is illustrative only, and should not be considered an official template.**

Confirmation and Year End Reporting

- Each REC Contract holder must submit a year-end report within 45 days after the end of the delivery year in which construction activities occurred on the project.
- Year-end reporting will consist of an updated version of the Compliance Plan submitted at the start of the delivery year that provides data on actual performance compared to the original Compliance Plan.
- Reporting should also reflect any major differences from the Compliance Plan such as new and innovative ways to provide employment opportunities to low-income participants and residents within the environmental justice communities.
- The first Reports will be due after the end of the 2023-2024 delivery year.



Energy Workforce Equity Portal Overview

Energy Workforce Equity Database Overview

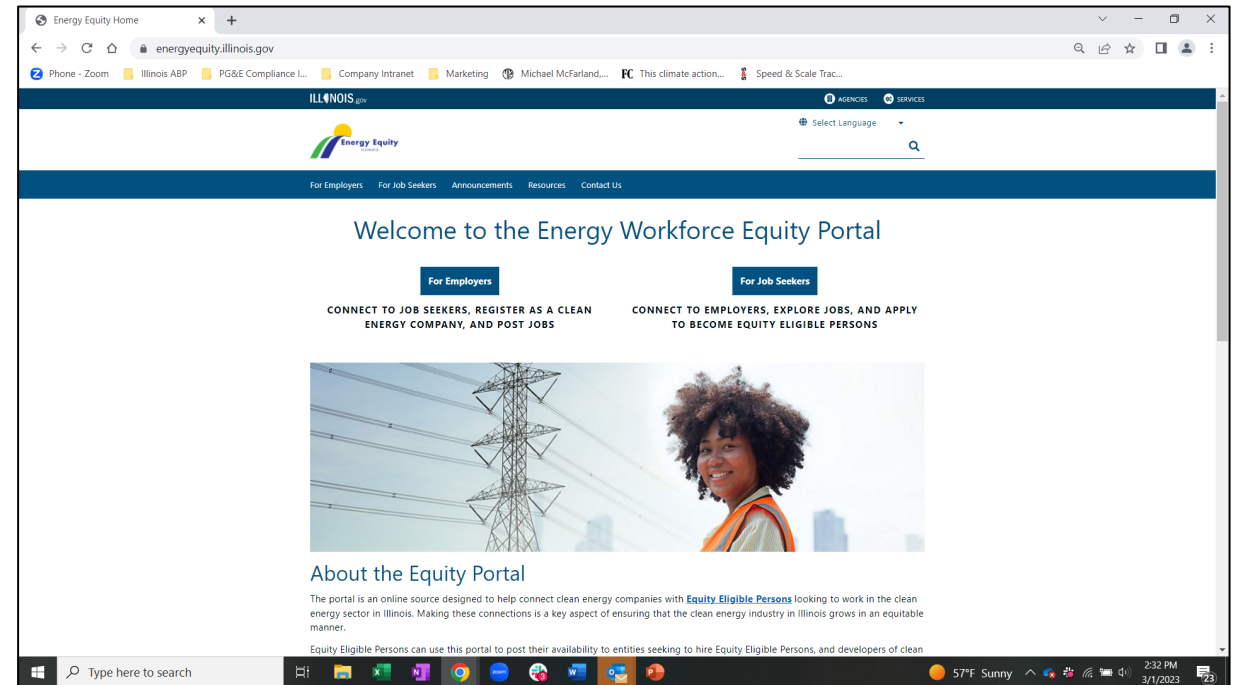
CEJA directed IPA and the Illinois Department of Commerce and Economic Opportunity (“DCEO”) to help historically underserved communities participate in and benefit from the growing clean energy economy. On January 31, 2023, IPA launched Phase I of the **Energy Workforce Equity Portal**.

Job seekers can use the portal to:

- Register to be listed on the portal
- See if they qualify as Equity Eligible Persons
- View clean energy jobs postings for EEPs

Clean Energy Project Developers can

- Advertise clean energy jobs
- Search for Equity Eligible Persons seeking employment



energyequity.illinois.gov/

Equity Eligible Investment Community Look-up Map

- Enter address and the map will tell you if that address is in an Equity Eligible Investment Community
- Convenient way to determine if someone is an Equity Eligible Person
- Full Shapefile available upon request

The screenshot displays the Energy Equity website's interface for the Equity Investment Eligible Community Map. At the top, there is a navigation bar with links for 'For Employers', 'For Job Seekers', 'Announcements', 'Resources', and 'Contact Us'. Below this is a search bar with a magnifying glass icon and a language selection dropdown. The main content area is titled 'Equity Investment Eligible Community Map' and includes an 'Eligibility' section with text explaining that these communities are geographic areas in Illinois designed to combat discrimination. It lists two types of communities: (1) R3 Areas established pursuant to Section 10-40 of the Cannabis Regulation Tax Act, and (2) Environmental justice communities defined by the Illinois Power Agency. A 'Using the Equity Investment Eligible Community Map' section provides instructions on how to use the search bar and zoom in (+) on the map. Below the text is a search bar labeled 'Find address or place' and a map of Illinois showing various counties and cities. The map includes a search bar, a magnifying glass icon, and a scale bar indicating 50 miles.



Waiver Request Process

Waiver Overview

- All Sellers should be working to make progress and achieve compliance with the Minimum Equity Standards.
- All successful bidders are expected to submit a Compliance Plan, even if they are ultimately unable to meet the MES.
- In rare cases, the Seller may request a waiver if, after executing the Compliance Plan, Seller is still unable to meet the MES.
- The Program Administrator will accept waiver requests on a rolling basis throughout the program year.




Waiver Requirements

Final waiver linked at: <https://illinoisabp.com/equity-accountability-system/>

The Agency will grant waivers in rare circumstances where the applicant provides evidence of significant due diligence toward meeting the minimum equity standards. Per the Long-Term Plan, waiver requests should include:


- i. A brief narrative describing the entity’s effort to recruit Equity Eligible Persons, including the following:
 - a. Working with job training and workforce development programs to recruit Equity Eligible Persons
 - b. Maintaining applications of individuals not selected for an opening for contact regarding future project openings
 - c. Participating in job fairs and related local community events
- ii. Evidence of efforts to hire or contract with EECs, such as communications with affiliated CBOs and/or training program facilities, State workforce hubs, union hall registers, professional development associations, etc. This should include the date of contact, the agency official and title of the individual contacted.



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Non-Union Scoring Table

Criterion	Total Points Possible	Points Awarded
Collaboration with qualifying workforce training programs	6	-
Maintaining a list of EEPs for future employment opportunities	2	-
Participation in job fairs	5	-
Evidence of outreach to EECs listed on Illinois Shines program website	4	-
Posting employment or contract opportunities on and contacting EEPs via the Energy Workforce Equity Portal	3	-
Efforts to contact unions, community colleges, and/or community-based organizations	2	-
Posting employment or contract opportunities on different platforms	2	-
Utilization of WorkNet or other state-run employment sites	2	-
Offers made to EEPs that were not accepted	2	-
Number of similarly situated	-5	-



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8. Please list any state-sponsored platforms on which the applicant announced or publicized available employment opportunities for EEPs, such as Illinois WorkNet (www.illinoisworknet.com) or Illinois Job Link (illinoisblink.illinois.gov) (2 points)

9. Please provide documentation of employment offers that were made to equity eligible persons but that were not accepted. (2 points)

10. Please describe any other efforts outside of the scope of the above criteria to recruit equity eligible individuals. (3 points)

Scoring Table for Project Waivers Using Organized Labor

Criterion	Total Points Possible	Points Awarded
Signed letter from at least two qualifying workforce training programs in the area stating that no candidates are available that meet the criteria	6	-
Maintaining a list of EEPs for future employment opportunities	2	-
Evidence of outreach to EECs listed on Illinois Shines program website	4	-
Posting positions or contract opportunities on and contacting EEPs via the Energy Workforce Equity Portal	3	-
Signed letter from the trade union stating no apprentices or journey worker is available that meets the criteria. The letter demonstrates the union's efforts to recruit EEPs.	7	-
Efforts to contact community colleges	2	-
Efforts to contact community-based organizations	2	-
Utilization of WorkNet or other state-run employment site	2	-
Posting employment or contract opportunities on different platforms	2	-
Offers made to EEPs that were not accepted	2	-
Number of similarly situated AVs that are able to meet MES	-5	-

Telephone: 312-793-0263 . Fax: 312-814-0926 . ipa.illinois.gov

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Waiver Requirements (cont.)

- iii. Advertising or formal solicitation using various platforms such as job posting websites, alumni associations, social media, etc.
- iv. Evidence that the entity posted all solicitations on appropriate State agency websites, include direct targeted e-mail alerts to appropriate respondents who have registered with State agencies to learn of opportunities.



Enforcement of Standards

Non-compliance of the MES may lead to disciplinary consequences, including suspension of the entity's ability to submit bids to future IPA procurements.

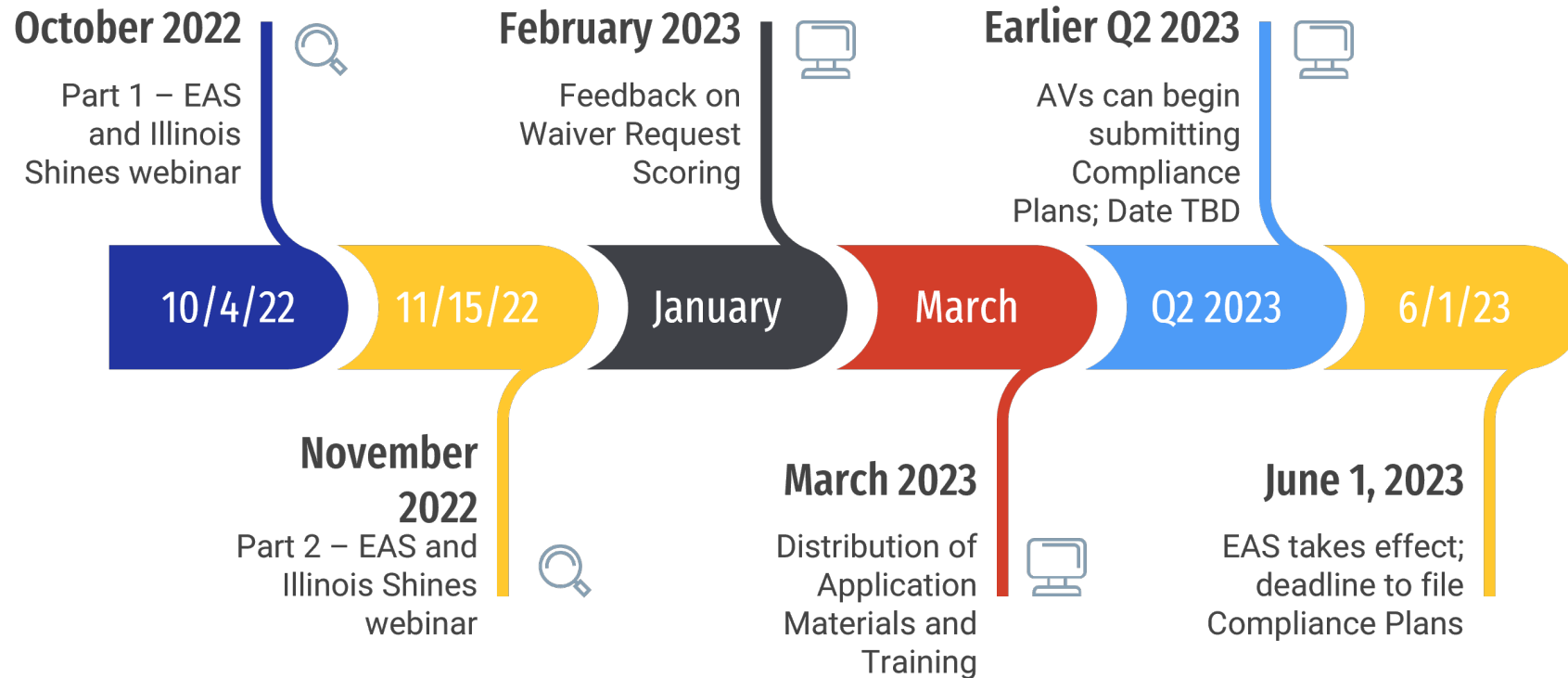
Waivers are granted for one year. If construction activities span multiple years, the Seller is expected to continue seeking to come into compliance with the MES.





Resources and Questions

Compliance Plan Implementation Timeline and Support Materials



Coming Soon - New Collateral & Content

- Updated website content
- Guide to the Equity Accountability System
- Spanish-language materials

Thank you!