

# New Day for Fossil Fuel Workers: Partial Wording of a Law – 5/30/20 – [NewDay4.com](http://NewDay4.com)



## (1) Pay for program any of 4 ways:

- A. There are authorized to be **appropriated** such sums as may be needed to carry out this Act.
- B. *Or: Before paying any carbon fee*, companies shall set aside 1% of it for payment into the following program.
- C. *Or: States may establish worker transition programs*, with the following standards. Company payments into such **state programs count as a credit** toward any carbon fee due.
- D. *Or: Secretary of the Treasury shall set aside 1% of revenue from carbon fees* for the following program.

Create new program by adding the following to the Workforce Investment Opportunity Act (WIOA [29 U.S. Code Chapter 32](#)):

*The Secretary of Labor shall establish regulations on how States and Tribes will:*

## (2) Location of Job Losses. Determine which Fossil Fuel Enterprises have or will reduce their number of employees.

Definition of *Fossil Fuel Enterprises* (FFE) can include:

- A. Coal mines
- B. Oil+gas industries:
  - o oil+gas drillers, refineries, wholesalers and support
  - o oil+gas pipeline builders
  - o fossil fuel power plants
  - o contractors full time at mines, oil+gas, etc.
- C. If B is included, the set-asides in (1)B and (1)D may rise from 1% to 5%. Well-drillers and pipeline builders travel now, so more of them can find other jobs than the other occupations. Maintenance workers for pipes & wells are not included, since they will still be needed for years.

## (3) Eligible People. Determine which employees and ex-employees of these FFEs are losing or have lost their jobs and are not being offered equivalent jobs in the same commuting area, and who worked at that or other FFEs at least 200 days in the 2 years before their job loss. Determine their *Previous Annual Pay* when working at FFEs [exclude some professions or positions?].

Workers who lost work before enactment are eligible at rates reduced in proportion to how many days before enactment they lost work, declining to zero for jobs lost 5 years before enactment (e.g. 80% of each benefit for jobs lost 1 year before enactment).

- Definition of *Previous Annual Pay*: Average daily pay on days worked at FFEs in 2 years before job loss, times 260 days.

## (4) Eligible Activities. For each such person, pay for the following as needed:

- A. **Health insurance.** Individual or family coverage, equivalent to a silver or gold plan, up to \$15,000/year for each family.
- B. **Early retirement** if they choose to retire, until they become eligible for a miner's (or petroleum worker's) pension, up to \$\_\_ per year per person, plus **retirement contributions** the FFE would have made toward pensions. These contributions are to be paid no matter whether the person is employed, unemployed, or in early retirement.

C. **Job search costs**, up to \$3,000 per person.

D. **Job search**, including advice, child care, transport. & other support.

E. **Training**, up to \$5,000 per person, including option of business startup training.

F. **Relocation** expenses, up to \$6,000 per person, if they take a job over 50 miles from their previous job and from their home. This can include job search trips to find distant work and housing, up to \$2,500 even if the person ends up not moving.

G. **Replacement of lost pay**, up to  $\frac{3}{4}$  of their *Previous Annual Pay*, for up to 1 year. Any additional time needed can be paid under the same terms as early retirement (B).

H. **Pay supplement** if they take work paying less than their *Previous Annual Pay*. The supplement for full time work is 75% of the difference between their *Previous Annual Pay* and their new annual pay. After the first six months, the 75% will drop 0.625 percentage points per month (7.5% per year), so they will phase out in 10 years. Each time their pay rises or falls, the percent will apply to the new difference between their *Previous Annual Pay* and their new annual pay. The Secretary shall establish rules for supplements for part time work.

I. **Business startup** advice, incubator, and loan guarantees or monthly payments equal to the pay supplement in (H). People with bona fide jobs and business startups can have pay supplements and business startup help (I) simultaneously for up to 24 months before they have to choose.

J. **Travel expenses** to new jobs (at the IRS mileage rate for medical and moving expenses), not including the first 30 miles each way each day, up to \$4,000 per year.

K. **Administration.** 10% to the Workforce Board for administration, in addition to amounts paid to and for individuals.

L. Items C, D and E (job search and training) may be provided to workers while they are working in FFEs and in subsequent jobs (especially for career pathways). If the program pays for a teacher for eligible people, others may attend the same class up to its capacity, without needing to share the cost.

## (5) Eligible Governments. Determine which government units in the State or Tribal area (including the State or Tribe itself) have received taxes in the past 2 years from the FFEs identified in (2)

(6) **Transition for Governments.** For each such government unit, determine the average baseline taxes due from or on behalf of these FFEs in the past 2 years. In each future year when taxes due are below that baseline, excluding changes caused by changes in rates, reimburse the government unit for a percent of the difference. The percent will start at 100% and drop 5 percentage points per year, to phase out over 20 years. Additional 5% of each year's amount allowed for administration.

(7) **Compliance** shall be monitored and enforced as outlined for other WIOA programs in [29 USC 3243-3249](#)

(8) **Results.** Measure job placement, pay levels, and business success, all at least semi-annually. The Secretary of Labor and each State and Tribe shall share best practices within 3 months of each semi-annual measurement.