

the U.S. crime rate.

Conclusion

The EPI panel discussion included 6 presentations, all equally compelling and urgent in calls for action and policy reform. Whether it is bringing protection to undocumented workers, closing the “good jobs” gap between racial groups, or helping ex-offenders obtain jobs, the consensus in the room was unanimous – it will require community action to cause change. Panelists agreed that workers and communities must unite and fight for change together. The decline in job quality did not come from natural causes, but of choices that were or were not made. It is up to the workers to bring attention to their struggles, and cause policy reform.

For more information, please visit the following websites:

- **National Council of La Raza:**
www.nclr.org/content/publications/detail/59227/

- **Economic Policy Institute:** www.epi.org/publications/entry/getting_good_jobs_to_people_of_color/
- **Good Jobs First:** www.goodjobsfirst.org
- **Offender Aid Restoration:** www.oaronline.org

Other presentations not covered in this summary include presentations from:

- Gustavo Andrade, CASA de Maryland, Inc:
www.casademaryland.org
- Judy Conti, National Employment Law Project
www.nelp.org

Sources:

Austin, Algernon. “Getting Good Jobs to America’s People of Color.” Economic Policy Institute. November 12, 2009.

Singley, Catherine. “Fractures in the Foundation: The Latino Worker’s Experience in an Era of Declining Job Quality.” National Council of La Raza.

WAP Corner:
Revised DOL Wage Determinations? Let’s Implement and Move On!
by Bob Scott

Although there have been a number of complex reasons why the Weatherization network had not been able to progress with the American Recovery and Reinvestment Act of 2009 (ARRA) production and expenditures as quickly as originally planned, probably the most major and far-reaching was the Davis Bacon prevailing wage issue. Throughout the history of the Weatherization Assistance Program (WAP), there has been a waiver of the Davis Bacon Act for weatherization workers. Initially, it looked like the waiver might still apply to ARRA WAP, but in early June 2009, DOL made a clear determination that the Davis Bacon laws would apply. In mid-July, the Department of Labor (DOL) determined that new Wage Determinations would be established for weatherization workers in every county in the country. Starting in mid-August, the Department of Labor published and distributed these new Wage Determinations, completing the issuances by early September.

Throughout the process, the WAP network had many concerns, not just with the potential impact of the new labor rates, but also with the administrative implementation of Davis Bacon regulations. By the time the Wage Determinations were finalized, most states and local agencies had accepted the fact that this was an issue that

they would have to deal with, and were anxious to get the issue resolved so ARRA production could get in full gear.

For numerous reasons, there were still a lot of questions about the wage determinations. Very short timelines may have contributed to errors both in submitting wage data and making the new determinations based on the submissions. There were multiple appeals to the DOL Wage Determinations as well as unresolved questions about electrical and plumbing related work done in WAP, including the installation of water heaters. DOL decided to release revised Wage Determinations to address both the appeals and other issues.

The Department of Energy (DOE) recently issued WPN I0-7, “Revised Wage Determinations,” and is posting the new Wage Determinations on the DOL and the DOE Energy Efficiency and Renewable Energy (EERE) websites. We suspect the network’s immediate reaction was “Oh no, not again.”

The obvious major concern with the revised Wage Determinations will be whether the progress made with ARRA implementation will be slowed down. Clearly, no one wants that to be a result. But is another drawn-out

implementation inevitable?

NASCSP believes DOE took some very positive steps in working with DOL on the revised Wage Determinations to reduce the negative impact on ARRA production. First and perhaps most important is the fact that the revised wage rates are not retroactive. States will have approximately 3-4 weeks from the issuance of amendments to the ARRA grant award to the states from the Project Management Centers. In the meantime, states and local agencies are strongly advised to plan and start the process of amending their contracts and subcontracts to include the revised Wage Determinations as soon as possible.

As of this writing, NASCSP has not seen the revised Wage Determinations. We are led to believe that, in almost all

cases, the actual change in labor rates is relatively minor. If that is the case, then there should be minimal change to actual program operations. We strongly advise that all agencies begin to use any revised rate at the beginning of a pay period, typically a Monday, rather than in the middle of a pay period.

Everyone involved in ARRA WAP strongly hopes that the revised Wage Determinations are only a minor blip in the overall implementation of the program. If the network can respond quickly to manage and administer the situation, then the revised Wage Determinations can have a positive outcome for the network by correcting any errors in the first determinations, answering the various appeals, and better defining the appropriate wages for WAP related electrical and plumbing work.

Recovery Act Success Story: Colorado

by Rebecca Stewart

This is the second in a series of articles that will take a closer look at some state and local programs which have excelled in rolling out American Recovery and Reinvestment Act of 2009 (ARRA) funds and rapidly ramped up their programs to meet the Obama Administration's goals. States already highlighted: Ohio.

Colorado has emerged as a leader in production and spending of ARRA funds. To date, Colorado has weatherized 2,095 homes in 2009, of which about 1,194 were funded with ARRA dollars. Colorado received \$79,531,213 in ARRA funds. The Colorado Governor's Energy Office (GEO), which was initially created in 1977 to promote energy conservation in the state, administers the Colorado Weatherization Program. The stated mission of the GEO is to, "lead Colorado to a New Energy Economy by advancing energy efficiency and renewable, clean energy resources."

The road has not always been smooth for the Program – some agencies had challenges early on. Kate Drexler, Weatherization Grants Manager of the GEO says, "Training newly hired workers turned out to take a lot more time and resources than had been planned, so production was compromised somewhat at the beginning of the year." Similarly, the new reporting requirements and a new web-based reporting system caused some backlogs in file preparation and Davis-Bacon compliance. However, through training and managerial oversight,

Colorado was able to rise above these early roadblocks. To ensure that local agencies performed quality work, Colorado encouraged comprehensive training of both those in the field as well as administrative staff.

Over 100 employees have attended training for Building Shell Technicians and 20 auditor/inspectors have been trained. Colorado has conducted trainings on-site at each of their ten local Weatherization agencies already this year. Currently, Colorado is selecting a third party trainer to deliver all field training through a combination of distributed, centralized, and online methods. This provider will largely focus on implementation of a 'train the trainer' model that emphasizes development of at least one local trainer within each Weatherization agency who will provide ongoing field training to crews.

When asked for tips or techniques they have employed, Drexler highlighted a number of strategies and systems that can be attributed to their success. In terms of production management, Colorado has one staff person dedicated full time to monitoring production of their agencies. Agencies set their monthly production targets at the beginning of each year. Then, the state requires agencies to report the most current production figures on a weekly basis using a web-based reporting system, Focal Point. If an agency falls behind in its production, it is required to submit a revised production plan outlining how it plans to make up for this gap. All production reports are made public so that other