

# Community Benefits Plan NYSERDA EmPower+ Program Home Electrification and Appliance Rebate

Final Report | April 2024



**NYSERDA**

## **NYSERDA's Promise to New Yorkers:**

NYSERDA provides resources, expertise, and objective information so New Yorkers can make confident, informed energy decisions.

### **Our Vision:**

New York is a global climate leader building a healthier future with thriving communities; homes and businesses powered by clean energy; and economic opportunities accessible to all New Yorkers.

### **Our Mission:**

Advance clean energy innovation and investments to combat climate change, improving the health, resiliency, and prosperity of New Yorkers and delivering benefits equitably to all.

**Community Benefits Plan  
NYSERDA EmPower+ Program  
Home Electrification and Appliance Rebate**

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# Abstract

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This Community Benefits Plan describes how the EmPower+ program will deliver benefits through its implementation of the Inflation Reduction Act’s Home Energy Rebate program. The plan incorporates the following four objectives: (1) support meaningful community and labor engagement; (2) engage and support a skilled and qualified workforce; (3) advance diversity, equity, inclusion, and accessibility; and (4) contribute to the federal Justice40 Initiative with the goal to deliver benefits to disadvantaged communities.

# Keywords

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EmPower+, community benefits, workforce, DEIA, diversity, disadvantaged communities, energy efficiency, clean energy program

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## Acronyms and Abbreviations

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|             |   |
|-------------|---|
| AMI         | area median income                                |
| BPCA        | Building Performance Contractors Association/NYS  |
| BPI         | Building Performance Institute                    |
| CAA         | Community Action Agency                           |
| CBP         | Community Benefits Plan                           |
| Climate Act | Climate Leadership and Community Protection Act   |
| COPD        | Chronic Obstructive Pulmonary Disease             |
| DACs        | disadvantaged communities                         |
| DEIA        | diversity, equity, inclusion, and accessibility   |
| ECE         | energy and climate equity                         |
| EM&V        | evaluation, measurement, and verification         |
| ER          | emergency room                                    |
| HEAP        | Home Energy Assistance Program                    |
| HEAR        | Home Electrification and Appliance Rebate program |
| HVAC        | heating, ventilation, and air conditioning        |
| IRA         | Inflation Reduction Act                           |
| LMI         | low- to moderate-income                           |
| MWBE        | minority- and women-owned business enterprise     |
| NATE        | North American Technician Excellence              |

|         |  |
|---------|--|
| NORA    | National Oilheat Research Alliance                       |
| NYS     | New York State   |
| NYSERDA | New York State Energy Research and Development Authority |
| RMAG    | Residential Market Advisory Group                        |
| SDVOB   | service-disabled veteran-owned business                  |
| SMI     | state median income                                      |
| TREC    | Training for Residential Energy Contractors program      |
| WCAG    | Web Content Accessibility Guidelines                     |

# Summary

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The New York State Energy Research and Development Authority (NYSERDA) created EmPower+ to provide energy efficiency and clean energy solutions to income-eligible households, helping homeowners and renters reduce energy use and costs, improve home comfort, and protect the environment through a range of energy-saving measures that result in reducing emissions. Through EmPower+, income-eligible owners and renters of existing 1- to 4-family homes can receive a no-cost comprehensive home energy assessment to determine where energy and dollars are being wasted and receive a customized plan steps to implement that lower energy usage.

NYSERDA leverages its existing EmPower+ program to deploy the Homes Electrification and Appliance Rebates (HEAR) program, which the Inflation Reduction Act (IRA) of 2022 authorized. By incorporating HEAR into the existing EmPower+ program, NYSEDA can leverage existing program workflows, systems, and contractor networks, allowing to deploy HEAR rebates to income-eligible households and to extend the reach of available federal funding for consumer rebates by cost-sharing the administrative and program implementation costs with other funding sources.

This document summarizes the specific objectives NYSEDA is committing to in its HEAR partial-scope implementation EmPower+ Community Benefits Plan (CBP) in quantifiable terms with specific, measurable, achievable, relevant, and time-bound milestones.

The CBP comprises these four pillars:

1. Support meaningful community and labor engagement
2. Engage and support a skilled and qualified workforce
3. Advance diversity, equity, inclusion, and accessibility (DEIA)
4. Support the Justice40 Initiative's goal that 40% of the overall benefits be used for disadvantaged communities (DACs)

NYSERDA leverages its institutional experience from its already operating equitable community engagement initiatives to design and expand programs supportive of the CBP four pillars. NYSEDA's approach aligns its plan with federal Justice40 goals and New York State's Climate Leadership and Community Protection Act (Climate Act), which requires a minimum of 35% with the goal of 40% of the benefits from clean energy investments benefit DACs.

**Table S-1. Summary of Four Pillars of NYSERDA’s EmPower+ Community Benefits Plan\***

| Category and Commitment   | 2024 Milestone  | 2025 Milestone  |
|---|---|---|
| <b>Community and Labor Engagement</b>   |   |   |
| NYSERDA will coordinate, consult, and engage with partners and community stakeholders.  | Ongoing feedback loop:<br>Host at least one meeting per quarter.<br>Develop a webpage to keep the latest IRA information available  | Ongoing feedback loop:<br>Host at least one meeting per quarter.<br>NYSERDA will incorporate community feedback into the design of the program and will publicly reference this feedback loop when it leads to changes in program design. |
| <b>Supporting a Skilled and Qualified Workforce</b>   |   |   |
| NYSERDA will support contractors with tools and training resources to support a skilled and qualified workforce with both existing and new resources.   | Develop an annual plan to support increasing skills and quality of the workforce supporting EmPower+.<br>Deliver at least one training and one new tool.  | Develop an annual plan to support increasing skills and quality of the workforce supporting EmPower+.<br>Cumulatively, deliver at least three trainings and two new tools.  |
| <b>Advancing Diversity, Equity, Inclusion, and Accessibility</b>  |   |   |
| NYSERDA will take steps to reduce barriers to, and improve access to, EmPower+ contractor status for local and underrepresented workers, including DAC residents, MWBEs, those with disabilities, returning citizens, opportunity youth, and veterans, and to partnering with community-based job training providers including minority-serving institutions. | One or more outreach activities to underrepresented workers to recruit underrepresented firms to participate in EmPower+. As a result of these outreach activities, a minimum of two underrepresented firms will begin the process for enrolling in EmPower+. | One or more outreach activities to underrepresented workers resulting in at least four underrepresented firms added to the eligible EmPower+ contractor list, cumulatively.   |
| <b>Contribute to Justice40 Initiative</b>   |   |   |
| NYSERDA will deliver energy services to customers of DACs or unrepresented communities in ways that can reduce energy burden.   | Provide services to reduce energy loads, such as air sealing and insulation, to 800 homes.  | Provide services to reduce energy load, such as air sealing and insulation, to 1,440 DAC homes, cumulatively.   |

\* For the initial application of HEAR funds, NYSERDA has included goals into 2025, which will be updated to include outward years when the full-scope application for HEAR is filed and approved.



# General Program Information

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The EmPower+ program provides energy efficiency and clean energy services to income-eligible homes located throughout New York State (NYS), including those in disadvantaged communities (DACs). NYSERDA will leverage its existing EmPower+ program to enable the deployment of the Home Electrification and Appliance Rebates (HEAR) program, which the Inflation Reduction Act of 2022 (IRA) authorized. By incorporating HEAR into the existing EmPower+ program, existing program workflows, systems, and contractor networks can be leveraged. This will allow New York State to deploy HEAR rebates to income-eligible households and to extend the reach of available federal funding for consumer rebates by cost-sharing the administrative and program implementation costs with other funding sources.

The HEAR rebates issued under the EmPower+ program will serve existing 1- to 4-unit residential buildings with households below 80% of area median income (AMI) as defined in the IRA legislation. New construction projects are not part of EmPower+ and are not eligible.

NYSERDA has an extensive and diverse existing network of stakeholders—with whom they continually engage to develop and implement programs and initiatives—that facilitate the flow of benefits to income eligible households and DACs. NYSERDA is committed to engagement that is:

- **Inclusive and representative:**  
NYSERDA adheres to its formal equitable engagement framework, which focuses on engaging historically marginalized stakeholders by developing programs that address known barriers to access and by designing programs to reach New York State’s DACs, which complement Justice40 priorities.
- **Open, transparent, and accountable:**  
Engagements are publicized particularly among the affected stakeholders and communities. NYSERDA’s website publishes the schedule of public stakeholder meetings and topics, and a nontechnical information summary is posted prior to events to ensure that people are informed of the topics before scheduled meetings. NYSERDA reports back with a summary of how input was used and what actions were taken.
- **Collaborative and accessible:**  
NYSERDA hosts focused events that foster ongoing engagement with stakeholders on policy and program development through design, launch, implementation, and iterative improvement. These events cover multiple topics relevant to stakeholders and, where possible, maximize value and input. The location and timing of meetings are selected to maximize stakeholder participation and availability.

# 1 Community and Labor Engagement

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New York State takes a community-oriented approach with state-level climate policy and programs, which extends to how it will meet the Community Benefits Plan (CBP) priorities of the Inflation Reduction Act of 2022 (IRA) programs. NYSERDA consistently operates under the guiding principle of centering robust community engagement, health, safety, climate and environmental justice, and equity as critical elements of all endeavors. NYSERDA engages in proactive, comprehensive, and targeted community interaction to ensure key stakeholders are involved in designing and implementing energy efficiency and clean energy initiatives across the State.

New York State has recently completed a three-year planning process, involving rigorous stakeholder and public engagement to develop a Scoping Plan,<sup>1</sup> the framework for how New York State will reduce greenhouse gas emissions and achieve net-zero emissions, increase renewable energy use, and ensure all communities equitably benefit from the clean energy transition.

The Climate Action Council (the Council),<sup>2</sup> which led the Scoping Plan process and convened groups dedicated to union labor and workforce development (the Just Transition Working Group) and environmental justice (Climate Justice Working Group), administered 11 public hearings prioritizing accessibility (e.g., virtual and in-person formats, sign-language services, written and/or verbal testimony); and offering an extended public comment and review period, culminating in more than 35,000 written comments.<sup>3</sup> As outlined in the Council's Scoping Plan:

jobs created as a result of the State's climate change mitigation efforts should be good, family-sustaining, union jobs, and accessible to all New Yorkers. This can be achieved by requiring robust labor standards and worker-focused procurement standards on clean energy, resilience, and other emissions reduction and adaptation projects, coupled with concerted efforts to drive increased workforce diversity and equity statewide through recruitment efforts, retention policies, and promotion opportunities.<sup>4</sup>

Regarding the IRA Home Energy Rebate programs, NYSERDA commits to engaging with its stakeholders regularly to inform program design and delivery. Generally, NYSERDA approaches engagement by:

- Periodic virtual engagement opportunities to provide feedback, which is open to any interested stakeholder; at minimum, this is done quarterly through NYSERDA's Residential Market Advisory Group (RMAG)
- Quarterly virtual working groups, typically between 10 to 20 participants, on dedicated topics including contractor and community engagement

- Occasional in-person meetings on specific topics, typically annual opportunities for in-person collaboration, and regular updates to the Energy Equity Collaborative, which is a dedicated network of community-based organizations within DACs
- Regular monthly meetings with community organizations comprising the Regional Clean Energy Hubs as well as contractors serving DACs
- Ongoing informal discussions with a variety of organizations in the EmPower+ program network

## 1.1 Community and Labor Stakeholders Engaged to Date

NYSERDA has had ongoing engagements with key stakeholders in the design and implementation of the EmPower+ program for many years, with initial discussions related to the adaptation of EmPower+ for the federal IRA Home Energy Rebates beginning in fall 2023. These engagements included informational webinars, virtual meetings, in-person meetings and workshops with stakeholders, and establishing working groups representing contractors and community partners. Throughout this process, NYSERDA fielded hundreds of comments and inquiries from stakeholders and the public. To date, more than 1,000 stakeholders participated in the stakeholder engagement process for NYSERDA’s IRA Home Energy Rebates.

NYSERDA’s stakeholders for the EmPower+ program planning and design include contractor and community working groups, advisory groups, and interested members of the general public. NYSERDA also conducted informal discussions with several organizations in its program network to gather as many stakeholder insights from various entities as possible when establishing its EmPower+ project plan. Specifically:

- NYSERDA met through in-person or virtual meetings with:
  - Services providers that currently offer weatherization incentives for customers to encourage coordination with IRA and Comfort Home Programs
  - For-profit companies that enable customer demand
  - Community groups that participate in NYSERDA’s Energy Equity Collaborative, Regional Clean Energy Hubs, and DAC Stakeholder Compensation process more generally
  - Home energy contractors that participate in NYSERDA programs
- NYSERDA engaged in and fielded input from public webinars and input sessions with more than 1,200 interested parties as referenced in Table 1 herein
- NYSERDA engaged smaller working groups such as:
  - The Energy Equity Collaborative Steering Committee
  - RMAG (see Table 1)
  - NYSERDA Contractor Working Group on IRA Home Energy Rebates
  - NYSERDA Communities Working Group on IRA Home Energy Rebates

See appendix A for details of specific engagements.

NYSERDA gathers frequent feedback leading up to program launch to inform program design. After the program is operational in the market, NYSERDA engages various constituencies as needed to improve and refine program implementation.

## **1.2 Future Community and Labor Stakeholders Engagement**

To inform the continued development and evolution of the statewide low- to moderate-income (LMI) portfolio and the ongoing operations of programs, the program administrators seek regular opportunities to engage with market partners and communities. Ongoing general RMAG sessions provide opportunities for information, discussion, and feedback to all residential sector stakeholders. Additionally, NYSERDA collects general stakeholder inquiries and feedback at any time through the email [residential.ira@nyserda.ny.gov](mailto:residential.ira@nyserda.ny.gov).

NYSERDA's stakeholders for EmPower+ planning and design include its statewide network of participating contractors, the Building Performance Institute (BPI), and the Building Performance Contractors Association (BPCA). These contractors represent decades of providing home performance services to LMI customers, and, therefore, they provide valuable insight to inform NYSERDA's implementation strategies for the HEAR program. NYSERDA expects that most businesses involved in the program will be small businesses that do not use unionized labor.

NYSERDA's ongoing plans for stakeholder and community engagement include two stakeholder groups to engage representatives from DACs and the energy and climate equity (ECE) community. Each group engages in a series of meetings, and NYSERDA provides additional informational public webinars. NYSERDA compensates DAC and ECE representatives for their time and input. For information on NYSERDA's work on behalf of DACs, visit [nyserda.ny.gov/Goals-Building-Clean-Energy-Economy](http://nyserda.ny.gov/Goals-Building-Clean-Energy-Economy).

Residents, communities, service providers, and other stakeholders provide beneficial insight that may otherwise not be readily and universally apparent. In combination with NYSERDA's evaluation, measurement, and verification (EM&V) activities and performance metrics results, stakeholder engagement and feedback provide NYSERDA with a holistic view of the statewide LMI portfolio. This wider view allows for improvement efforts and adjustments in alignment with market conditions.

NYSERDA tracks all engagements, periodically summarizes feedback and actions, and posts this information on an IRA-dedicated webpage on the NYSERDA website.

**Table 1. EmPower+ Stakeholder Engagement Activities to Undertake**

The following table highlights the EmPower+ stakeholder engagement activities that NYSERDA plans to undertake.

| Organization or Community Engaged                               | Type of Engagement  | Frequency of Engagement  | Intended Outcome of Engagement  |
|---|---|--------------------------|---|
| EmPower+ participating contractors, statewide                   | Consultation  | Monthly meetings         | Gather insights from those who work most closely with the workforce and customers targeted at the programs  |
| BPCA (representatives of home performance) and HVAC contractors | Community input, technical assistance                           | Ongoing monthly meetings | BPCA guides the market on engagement with NYSERDA on HER/HEAR, thus contributing to recruitment and job production  |
| NYSERDA Regional Clean Energy Hubs <sup>5</sup>                 | Partnership in implementation and outreach                      | Ongoing monthly meetings | NYSERDA will leverage the Regional Clean Energy Hubs to solicit community input, disseminate info to prospective customer households, and support customers through their energy-efficiency retrofit journey. |
| BPI   | Community input, technical assistance                           | Ongoing                  | BPI may be able to contribute to credentialing and building workforce skills  |
| Energy Equity Collaborative                                     | Housing-focused working group for getting DAC stakeholder input | Ongoing                  | Collaborative input may inform interagency coordination and/or leveraging activities  |

### 1.3 Commitment

NYSERDA demonstrates its commitment to coordinating, consulting, and engaging with partners and community stakeholders by carefully considering each comment and suggestion and, when feasible, incorporating stakeholder and community feedback into the program design. NYSERDA publicly references this feedback loop when it leads to changes in program design. This feedback is available on NYSERDA’s website and, when requested, is sent via U.S. Postal Service.

## **2 Engage and Support a Skilled and Qualified Workforce**

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### **2.1 Qualified Workforce**

NYSERDA is committed to working with contractors whose staff are properly trained and certified and supports a skilled and qualified workforce through its network of participating contractors throughout New York State. Participating contractors are certified by industry organizations such as BPI, equipment manufacturers, and/or national organizations that establish the installation requirements for energy-efficient equipment.

To support a skilled and qualified workforce, NYSERDA offers training and certification opportunities through its robust workforce development programs, which include funding through the IRA Training for Residential Energy Contractors (TREC) program grant. NYSERDA also offers support and technical assistance opportunities through its implementation of contractor and robust quality assurance programs. Full details on these program components are available in the Consumer Protection Plan.

### **2.2 Fair Pay**

NYSERDA recognizes that enacting fair pay provisions, where applicable, is particularly important to ensure that new, clean energy jobs pay as well as, or better than, former or existing jobs. In general, prevailing wage and project labor agreements, neutrality, and labor peace agreements, as well as the use of registered apprenticeship programs, can help ensure that jobs turn into long-term careers.

EmPower+ uses a schedule of set pricing per unit for many weatherization measures such as energy audits, lighting, thermostats, and other direct install measures, as well as insulation and air sealing. When applicable, set pricing is on a per-unit basis (e.g., per square foot for insulation) and each project is subject to approval processes, which may include automated approvals for less complex, lower-cost projects and manual approvals for more complex, custom, and higher-cost projects. These prices are developed through periodic pricing reviews based on input from participating contractors, distributor pricing information, NYS labor rates, the Consumer Price Index, and other publicly available inflation indicators. Pricing is reviewed statewide and regionally, and it is adjusted at least annually or more frequently market conditions warrant.

## 2.3 Workforce Support

NYSERDA focuses on meeting industry demand and partnerships with employers across its various workforce programs. Clean energy businesses perform the energy efficiency and building electrification work that will deliver the climate impacts of the IRA investments. NYSERDA supports these businesses with a variety of workforce development programs including:

- **Energy Efficiency and Clean Technology Training program:**  
Provides funding for training initiatives to provide technical skills, relevant education, and hands-on experience to prepare both new and current workers for jobs in New York State's energy-efficiency and clean technologies industries; businesses, trade associations, unions, and training providers are welcome to apply
- **Clean Energy Internship program:**  
Provides funding for eligible clean energy businesses, organizations, and local municipalities to hire interns to perform work in the clean energy sector
- **Clean Energy Workforce Development and Training program:**  
Provides funding, educational resources, and training programs for new and existing workers and employers to develop careers in clean energy and advanced skills in implementing renewable energy and energy efficiency solutions
- **On-the-Job Training program:**  
Provides incentives to eligible energy efficiency and clean technology businesses throughout the supply chain to hire and provide on-the-job training to new workers

Aligning workforce development activities with business needs improves program outcomes and ensures that training investments in new workers lead to high-quality jobs, both new jobs and advanced opportunities for existing workers. Subsidized training and certifications benefit businesses through the enhanced expertise of their workers, a differentiator they can advertise in terms of their company's verified credentials, as well as the revenue generated from the successful retrofits they perform. In turn, employees' work may qualify for higher pay rates; customers receive higher-quality work, and New York State can be confident that funding has been deployed effectively, thereby establishing a strong and mutually beneficial relationship among all parties.

NYSERDA's Labor Liaison Service Providers support its engagement with labor, providing expertise in New York State labor law, labor relations and communications, project labor agreements, wage compliance, labor best practices, and feasibility studies. By working with the labor community, NYSERDA can leverage the power of professional unions and skilled trade workforces, thereby building important connections between the clean energy community and all levels of labor leadership. NYSERDA's Labor Liaison Service Providers emphasize inclusivity and equity consistent with the goals of New York State's Climate Leadership and Community Protection Act. They ensure that the New York

State's clean energy industry is intentional about recruiting labor and securing services from DACs, minority- and women-owned business enterprises (MWBEs), and service-disabled veteran-owned businesses (SDVOBs).

## **2.4 Commitment**

NYSERDA supports contractors with both new and existing tools and training resources to support a skilled and qualified workforce.



## **3 Diversity, Equity, Inclusion, and Accessibility**

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### **3.1 Diversity, Equity, Inclusion, and Accessibility Objectives**

Diversity, equity, inclusion, and accessibility (DEIA) refers to a set of practices intended (1) to ensure people from a broad set of sociodemographic backgrounds are represented and able to thrive in a workforce; and (2) that an organization's actions and services to the public consider the needs and desired outcomes for all its stakeholders.

NYSERDA's mission is to advance clean energy innovation and investments to combat climate change, thereby improving the health, resiliency, and prosperity of New Yorkers and delivering benefits equitably to all. Diversity, equity, and inclusion are core values at NYSERDA and underpin all its work for New Yorkers and the clean energy market. The EmPower+ program commits to New York's Climate Leadership and Community Protection Act (Climate Act) goal of driving 40% of the benefits of clean energy spending to DACs by addressing the energy burden in hard-to-serve DACs across New York State and providing healthy homes.

NYSERDA works with its Regional Clean Energy Hubs, a network of 12 trusted, knowledgeable, community-based organizations with experience in clean energy, energy efficiency, workforce and economic development, education, health, and housing. Strategically located across New York State, each of the hubs acts as NYSERDA's physical presence in the area, which can share information about EmPower+ and relevant programs to those who can benefit. The hubs can also serve as a support system for employees and employers by creating cultures of inclusion in contractor firms, wherein new employees from DACs feel welcome and have the agency to advocate for themselves.

NYSERDA seeks to increase its network of participating EmPower+ contractors by increasing awareness among individuals and contractors located within DACs. To further these goals, NYSERDA has submitted a complementary application for TREC program funding (IRA Section 50123).

### **3.2 Language Accessibility**

One component of accessibility is language accessibility, which is an important consideration for families whose primary language is not English. NYSERDA makes the program accessible in various languages in the following ways:

- The NYSERDA website is available in 22 languages.
- NYSERDA and its contracted resources strive to meet the Level A and Level AA guidelines of the Web Content Accessibility Guidelines (WCAG) 2.2.
- The EmPower+ customer application is available in the 17 languages identified as the most common languages for the program’s target population.
- The EmPower+ contractor application collects information about different languages spoken by staff, so NYSERDA or a Regional Clean Energy Hub can connect a customer to a contractor in their area based on language needs.
- The Regional Clean Energy Hubs can provide services and/or requested materials from NYSERDA in different languages for customers, based on their regionally specific needs.
- Public webinars are made available in different languages (e.g., in the public webinar held to gather input on IRA held in December 2023, live-time translation services are available in six languages, including American Sign Language).

### **3.3 Commitment**

NYSERDA takes steps to reduce barriers to and improve access to EmPower+ contractor status for local and underrepresented workers—including DAC residents, MWBEs, those with disabilities, returning citizens, opportunity youth, and veterans—and to partner with community-based job training providers including minority-serving institutions.

## 4 Contributing to the Justice40 Initiative

NYSERDA is committed to ensuring that EmPower+ funding benefits DACs. New York State already designs, implements, and tracks the impact of energy efficiency programs on DACs. In 2019, New York State passed into law the Climate Act to address climate change and reach net-zero emissions throughout the State, including a stipulation to directly benefit DACs. The Climate Act law shares the Justice40 Initiative’s goal of ensuring that 40% of the overall benefits of New York’s investments in clean energy and climate solutions flow to DACs.

### 4.1 New York State Definition of a Disadvantaged Community

NYSERDA uses New York State’s definition for DACs. Under the guidance of New York’s Climate Act, the Climate Justice Working Group has developed criteria to identify DACs to ensure that frontline and otherwise underserved communities benefit from the state’s historic transition to cleaner, greener sources of energy, reduced pollution and cleaner air, and economic opportunities. The following list details environmental burdens and climate change risks indicators in the DAC criteria:

**Table 2. Environmental Burdens and Climate Change Risk**

| Potential Pollution Exposures                             | Land Use and Facilities Associated with Historical Discrimination or Disinvestment | Potential Climate Change Risks                               |
|---|--|--|
| Vehicle traffic density, and diesel truck and bus traffic | Proximity to remediation sites   | Projected extreme heat                                       |
| Particulate matter (PM2.5)                                | Proximity to regulated management plan sites                                       | Projected flooding in coastal and tidally influenced areas   |
| Benzene concentration                                     | Proximity to major oil storage facilities  | Projected flooding in inland areas                           |
| Wastewater discharge                                      | Proximity to power generation facilities   | Low vegetative cover   |
| —   | Proximity to active landfills  | Agricultural land  |
| —   | Proximity to municipal waste combustors  | Driving time to hospitals or urgent/critical care facilities |
| —   | Proximity to scrap metal processors  | —  |
| —   | Industrial, manufacturing, and/or mining land use                                  | —  |
| —   | Housing vacancy rate   | —  |

Table 3 lists population characteristics and health vulnerability indicators within the DAC criteria:

**Table 3. Population Characteristics and Health Vulnerabilities**

| <b>Income</b>                             | <b>Race and Ethnicity</b>             | <b>Health Outcomes &amp; Sensitivities</b> | <b>Housing Mobility &amp; Communications</b> |
|---|---------------------------------------|--|--|
| Percent <80% Area Median Income           | Percent Latino/a or Hispanic          | Asthma ER visits                           | Percent renter-occupied homes                |
| Percent <100% of the Federal Poverty Line | Percent Black or African American     | COPD ER visits                             | Housing cost burden (rental costs)           |
| Percent without Bachelor's Degree         | Percent Asian                         | Heart attack hospitalization               | Energy poverty/cost burden                   |
| Unemployment Rate                         | Percent Native American or Indigenous | Premature deaths                           | Manufactured homes                           |
| Percent Single-Parent Households          | Limited English proficiency           | Low birth weight                           | Homes built before 1960                      |
| —   | Historical redlining score            | Percent without health insurance           | Percent without internet                     |
| —   | —                                     | Percent with disabilities                  | —  |

Each census tract is scored based on relative burden, risk, vulnerability, or sensitivity. Specifically, the percentile ranks of the indicators for each census tract are combined to produce a value that measures a census tract's relative level of "environmental burdens and climate change risks," as well as "population characteristics and health vulnerabilities" compared to other tracts. Tracts with higher combined scores relative to (1) other tracts statewide; or (2) their region (New York City or the rest of State) were identified as DACs.

Based on this combined score, the top 35% of the census tracts are considered DACs. Additionally, 19 tracts that contain federally designated reservation territory or State-recognized Indigenous-Nation-owned land are automatically included as DACs—regardless of percentile ranking on these indicators.

In addition to this geographic DAC criteria, to account for clean energy and energy efficiency investments, households with annual income at or below 60% of state median income (SMI) or that are otherwise categorically eligible for low-income programs such as the Home Energy Assistance Program (HEAP), are included in the criteria solely for State agencies accounting for clean energy or energy efficiency investments within DACs. These households can be located anywhere in the State and are included to address rural poverty due to the high correlation between geographic indicators and high population centers.

A map of New York State's DACs is available at [nyserdera.ny.gov/ny/Disadvantaged-Communities](https://nyserdera.ny.gov/ny/Disadvantaged-Communities), and it is searchable by either entering an address or by using the zoom-in/zoom-out feature.

## **4.2 NYSERDA's Method of Encouraging Rebates to DACs**

NYSERDA's initial focus on HEAR funding will have 100% of rebates going to income-eligible households through its EmPower+ program. Furthermore, to encourage increased participation in the DAC-designated geographic areas (for reasons other than income alone), NYSERDA provides a \$200 DAC incentive per unit to be paid to participating contractors who provide installation of energy upgrades eligible for HEAR funding. Within the initial allocation of funding, NYSERDA has earmarked a minimum of \$280,000 specifically in this contractor incentives for DACs, with DAC customers receiving 100% funded eligible energy upgrades.

NYSERDA reviews its progress toward meeting DAC goals quarterly. NYSERDA also works with the Regional Clean Energy Hubs to reach out to DACs to ensure these populations are receiving services. NYSERDA collaborates on marketing material including handouts, sample project scopes, and other requested materials so the hubs will be able to let DAC residents know what is available to them.

## **4.3 Ensuring Benefits Flow to Disadvantaged Communities**

NYSERDA's performance management team performs robust tracking of the work done through the EmPower+ program as part of NYSERDA's DAC goals. Through this tracking, NYSERDA determines what percentage of projects are currently located in the geographic areas identified by the DAC criteria. After reviewing the tracking quarterly, NYSERDA engages the Regional Clean Energy Hubs and contractors to target outreach in underserved areas receive maximum benefits.

## **4.4 Commitment**

NYSERDA commits to delivering energy services to customers of DACs or unrepresented communities in ways that can reduce energy burden.

The Justice40 Initiative directs 40% of the overall benefits of certain federal investments to flow to DACs. Table 4 outlines specific benefits DACs receive through the EmPower+ program. These benefits interact in various ways with the first three pillars addressed earlier (i.e., community and labor; workforce; DEIA).

**Table 4. Benefits by Community Benefit Pillar**

| <b>Community and Labor Engagement</b>                            |  |
|--|--|
| Benefit  | Provide dedicated venues to collaborate with NYSERDA on program design and delivery  |
| DAC that will benefit  | DACs throughout NYS  |
| How benefits will be delivered                                   | Directly   |
| When benefits will be delivered                                  | 2024–2025  |
| Milestones toward benefit delivery                               | One engagement meeting per quarter; new webpage developed and updated with latest IRA information  |
| Metrics to track and report on benefits                          | Community engagement meetings  |
| <b>Skilled and Qualified Workforce</b>                           |  |
| Benefit  | Support for contractors (e.g., tools and training resources) to build a skilled and qualified workforce)   |
| DAC that will benefit  | Contractors within DACs  |
| How benefits will be delivered                                   | Directly   |
| When benefits will be delivered                                  | 2024–2025  |
| Milestones toward benefit delivery                               | One training tool and one new tool by end of 2024; two more new training tools and one more new tool by end of 2025  |
| Metrics to track and report on benefits                          | Trainings and tools delivered  |
| <b>Advancing Diversity, Equity, Inclusion, and Accessibility</b> |  |
| Benefit  | Job creation   |
| DAC that will benefit  | DACs throughout NYS  |
| How benefits will be delivered                                   | Directly   |
| When benefits will be delivered                                  | 2024–2025 and throughout program period  |
| Milestones toward benefit delivery                               | Two or more outreach activities to underrepresented workers resulting in four firms from underrepresented groups added to EmPower+ contractor list by the end of 2025.<br><br>Regional Clean Energy Hubs have resources and latitude to tailor outreach to their specific regions and communities (e.g., promotion on social media platforms or working with local community groups to post the opportunity in the places that best reach their community members) |
| Metrics to track and report on benefits                          | Number of underrepresented workers/firms added to EmPower+ Contractor List   |
| <b>Justice40 Initiative</b>                                      |  |
| Benefit  | Energy services delivered to customers of underrepresented or disadvantaged communities in ways to reduce energy burden  |
| DAC that will benefit  | DACs throughout NYS  |
| How benefits will be delivered                                   | Directly   |
| When benefits will be delivered                                  | 2024–2025 and throughout program period  |
| Milestones toward benefit delivery                               | Air sealing and insulation to 800 homes in 2024; air sealing and insulation to 640 more homes in 2025. These DAC retrofits comprise only a portion of the total projects completed/rebates provided under HEAR. As additional HEAR funds are applied for and approved, this target will increase.  |
| Metrics to track and report on benefits                          | Homes insulated and air-sealed   |

## Appendix A. Stakeholder Engagements

**Table A-1. EmPower+ Stakeholder Engagement Activities Undertaken**

This table highlights the EmPower+ stakeholder engagement activities NYSERDA has undertaken as of March 2024.

| Organization or Community Engaged   | Frequency of Engagement                                    | Description of Engagement   | Intended Outcome of Engagement   |
|---|--|---|--|
| Contractor and Community Working Groups   | Quarterly virtual meetings held 10/12/23, 1/16/24; 1/23/24 | In-person meeting, including program overview and breakout groups on outreach to DACs, program design, and incorporating DEI into the CBP.  | Gathered input and planning/design considerations, which are incorporated into program design/implementation deemed appropriate. Summaries of the meeting were distributed to participants.  |
| Residential Market Advisory Group (RMAG)  | Quarterly virtual meetings; annual in-person meeting       | An October 2023 daylong event included presentations on NYSERDA residential program goals, an overview of IRA programs, and three deep-dive breakout sessions.  | RMAG brings together residential market actors to envision the next generation of residential clean energy solutions and to facilitate the deployment of strategies that stimulates market growth, delivers customer value, and enables NYS energy policy goals. RMAG addresses topics related to residential energy efficiency and clean energy market activities for 1- to 4-unit existing homes. RMAG identifies, organizes, and develops collective ideas and serves as a vehicle for stakeholder views and recommendations regarding efficiency solutions to be shared among members and helps guide the implementation of strategies supporting NYS energy policy goals. |
| New York State energy efficiency contractors  | February 14, 2024  | NYSERDA staff and support contractors participated in an IRA-specific session at the 2024 Clean Energy for Homes Conference (sponsored and hosted by NYSERDA) to gather input from New York State contractors. NYSERDA staff presented program information and fielded questions and comments from contractors. | NYSERDA fielded several questions and comments from participants. This input will inform subsequent program design and implementation decisions.   |
| More than 1,200 public commenters representing community-based organizations, contractors, homeowners, and others | December 6, 2023   | Public webinar in which NYSERDA staff and support contractors presented an overview of IRA HER and HEAR programs and training grants.   | NYSERDA fielded approximately 100 public comments from participants. This input has informed subsequent program design and implementation decisions.   |

NYSERDA reviews and considers each comment and suggestion it receives and, when feasible, incorporates stakeholder and community feedback into program design and implementation. Some recent examples include the following:

- Based on stakeholder requests, NYSERDA conducted additional stakeholder information and comment sessions, both including and beyond EmPower+, to allow more time for deeper dialogues.
- Based on feedback about aligning services based on income levels as defined by federal definitions of income eligibility, NYSERDA updated its EmPower+ policies, which now cover 100% of costs for eligible energy upgrades to households with income at or below 60% of the state median income (SMI), and a 50% discount for eligible measures to households with income between 60% and 80% of SMI or area median income (AIM). To align with the federal definition of “low income” for the Home Energy Rebate programs, NYSERDA is aligning the entire EmPower+ program to be 100% funded for eligible measures, up to a maximum per dwelling unit.
- Based on requests to make the stacking or braiding with existing programs simple and provide guidance to contractors, NYSERDA is developing training materials for participating contractors and program partners. Additionally, NYSERDA has made stacking IRA rebates within the existing program simple: NYSERDA continues to fund projects up to its current cap of \$10,000, and for homes that have energy upgrade needs in excess of \$10,000, IRA HEAR funding is available as an additive rebate for qualified IRA HEAR measures.
- Based on requests to keep home energy assessment requirements the same, NYSERDA allows all projects through EmPower+ to continue to receive a full energy assessment as is current practice. The mini assessment allowed under IRA for heat pump projects is not used in EmPower+.

Additionally, significant feedback confirms and agrees with NYSERDA’s planned design. While this feedback does not appear as a program change, it does support the direction of program design. For example, NYSERDA received a significant amount of feedback advocating that IRA funds be added to existing programs, rather than to newly created programs, which contractors and customers would have to apply to separately. Consequently, NYSERDA has incorporated IRA funds into EmPower+, serving low-income 1- to 4-family homes.

Finally, NYSERDA is using the additional feedback to develop the full program planning efforts for IRA Home Energy Rebate funds, which NYSERDA is currently applying for. This includes features such as retailer involvement, considerations for multifamily housing, and retroactive rebates.



# Endnotes

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- <sup>1</sup> Climate Act. New York's Scoping Plan. Retrieved from [climate.ny.gov/resources/scoping-plan/](https://climate.ny.gov/resources/scoping-plan/) n.d.
- <sup>2</sup> The Council is a 22-member appointed body that prepared the NYS Scoping Plan. Retrieved from [climate.ny.gov/Resources/Climate-Action-Council](https://climate.ny.gov/Resources/Climate-Action-Council)
- <sup>3</sup> See Climate Action Council Draft Scoping Plan. Retrieved from [climate.ny.gov/Resources/Draft-Scoping-Plan#advisory-panels](https://climate.ny.gov/Resources/Draft-Scoping-Plan#advisory-panels)
- <sup>4</sup> New York State's Scoping Plan. Retrieved from [climate.ny.gov/resources/scoping-plan/](https://climate.ny.gov/resources/scoping-plan/) pp. 72. n.d.
- <sup>5</sup> Over the next several months, NYSERDA and support contractors will do more in-depth coordination with each of New York State's 12 Regional Clean Energy Hubs to identify regional needs.



NYSERDA, a public benefit corporation, offers objective information and analysis, innovative programs, technical expertise, and support to help New Yorkers increase energy efficiency, save money, use renewable energy, and reduce reliance on fossil fuels. NYSERDA professionals work to protect the environment and create clean-energy jobs. NYSERDA has been developing partnerships to advance innovative energy solutions in New York State since 1975.

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