January 28, 2026

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Returning Citizens Update

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Agenda

Plan Commitment

Stakeholder Engagement
Who we have met with and key themes

Background Checks
Requirements, who is subject to background checks

Draft Principles

Next Steps

2025-2027 Plan Commitment

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2025-2027 Plan Language (p. 33)

Additionally, we are also committed to reviewing background check requirements and addressing opportunities for returning citizens to work in the Mass Save programs while appropriately protecting the safety and security of participants. To that end, we will:

- *Meet with workforce advocates, including Browning the Green Space and Action for Equity, as well as the AGO and DOER, to solicit input, suggestions, and ideas.*
- *Develop a common set of principles for addressing opportunities for returning citizens on or before January 2026. We will develop these principles under the guidance of applicable legal requirements and jurisdictional authorities, as well as our own policies and procedures. We will publish these principles on or before January 2026.*[4]

[4] As a part of this effort, we will consider examples of common fact patterns provided in legal guidance and how they may address them. Each PA is responsible for making its own decisions regarding individual applicants—consistent with its corporate policies, the principles noted above and the law, and its own internal review and determination based upon the matter specific facts. Each PA's decision will consider the context of the specific situation and business interest. For example, what was the nature of the conviction, what is the position the individual is applying for, and does it entail unsupervised customer contact, etc.?

Stakeholder Engagement

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The PAs have engaged with a range of stakeholders to solicit input

- Action 4 Equity
- AGO
- Benjamin Franklin Cummings Institute of Technology
- Browning the Green Space
- City of Boston – Office of Returning Citizens
- Contractors
- DOER
- Dorchester Bay Economic Development Corporation
- EEA
- Emerald Cities Collaborative
- Envoy Advisory
- LISC
- My Brother's Keeper Boston
- Prophetic Resistance
- Urban League of Massachusetts
- Volunteers of America – Massachusetts

Key Themes

- Efforts should focus on facilitating opportunities for any applicant with a CORI rather than formerly incarcerated individuals specifically
- Fair Chance practices and principles are a way to integrate standards into hiring practices
- Review job categories for specific needs and opportunities
- Test out an initial approach to build success, learnings, and experience
- Consider partnering with organizations who have experience working with returning citizens, including providing training and wraparound support
- Lack of publicly available information on background check requirements and process discourages applicants who would pass a CORI check
- Specific needs and approaches are likely to vary by industry and employer

Workforce Needs

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Identified Needs

HVAC/ Heat Pump Installation and Repair

Plumbers/ Pipefitters

Electricians

The PAs have been working with MassCEC to align their support for underrepresented businesses and individuals with a contractor development pathway, wrap-around services, and training opportunities that focuses on these areas of need.

Background Checks

Vendors and Contractors hired directly by customers not subject to PA Background Checks

Heat Pump Installer Network (HPIN) Contractors

Barrier remediation (electricians), window replacement, battery, and HPWH contractors (plumbers), where hired by customer

Contractors Participating in Customer Directed Options

HERS raters

There is a high amount of overlap between workforce needs and contractors not subject to background check requirements. These contractors are expected to support ~75% of planned heat pump installations for the term.

Vendors and Contractors directly contracted with PAs subject to PA Background Checks

Lead vendors, IICs, HPCs, CAPs, and subcontractors participating in Residential Turnkey Services and Low-income programs

Small business Turnkey lead vendors and subcontractors

Lead vendors for other programs, e.g., rebate processing, appliance recycling, inspection services

While residential, low-income, and small business turnkey programs do subcontract with HVAC contractors, electricians, and plumbers, these programs represent only ~25% of planned heat pump installations for the term.

Process

- All employees of contractors and vendors who are directly contracted or subcontracted with the PAs and perform services for the programs must verify their identity and legal right to work in the United States (Level 1 check)
- Only applicants or employees that will be *on customer property or in their home/business, or have access to non-public customer information or records* must undergo criminal background checks (Level 2 checks)
- Contractor and Vendor applicants subject to background checks must undergo:
  - State, county, and federal criminal district checks in all jurisdictions they've lived in for the past 7 years,
  - National sex offender registry check,
  - Global Watch Search, and
  - Driving record check and annual reviews if they will need to drive a vehicle for work

Alignment between Stakeholder Requested and PA Approaches

Stakeholder Requested Approach	PA Approach
Decisions are based on convictions, not arrests or non-convictions	✓ Aligned - Screening and decisions are based on convictions
Standards are explicit, written, and publicly accessible	✓ Aligned – Detailed standards included in Draft Principles document available at the end of the week
Screening applies to individual workers, not entire companies	✓ Aligned - Screening applies to individual workers
Background checks are work situation/job related	✓ Aligned - background checks are required for employees of entities that are contracted or subcontracted with the PAs. Level 2 background checks, which include criminal background checks, are required if the individual will be on customer property or in their home/business, and/or if the individual will have access to non-public customer information or records.

Alignment between Stakeholder Requested and PA Approaches Cont'd

Stakeholder Requested Approach	PA Approach
Each individual job category should be reviewed and background policies should be individualized to those job categories	✓ Aligned but with a different approach - Jobs requiring background check are defined as articulated above. Any other jobs are not subject to background policies. For those jobs that do require background checks, there is an additional process of individual review or exception, where the PA can take into account additional attributes of the individual and the specific job.
Background checks should be done later in the process, after the decision to make an offer	✓ Aligned - The PAs comply with Massachusetts law, which prohibits an employer from requesting criminal history information on an initial job application. Beyond this requirement, it is at the discretion of the contractor or vendor to decide at exactly what point they move forward with a background check. Typically the background check occurs following an offer or a conditional offer.

Alignment between Stakeholder Requested and PA Approaches Cont'd

Stakeholder Requested Approach	PA Approach
Develop a new system of "certification" that would certify an individual for a number of years even if they switch employers	✓ Not Aligned - The Contractor or Subcontractor hiring the individual is responsible for meeting the background check requirements during their hiring process and, in most cases, maintain records.
Align with Background Policies used by other public entities	✓ Aligned - The PAs have reviewed background check requirements for the Department of Public Utilities ("DPU" or "Department") with respect to Transportation Network Drivers ("TNDs") and the Executive Office of Health and Human Services and the policies and approaches are substantially aligned. In addition, PA background check policies meet all applicable laws and requirements. See appendix slides for details.

Principles & Next Steps

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Framework Principles

1. Ensure a safe and secure environment for customers
   - Customer assumes that a contractor working for a PA to deliver services has been vetted through a stringent process and that PA vouches for them.
   - PAs must have policies and procedures in place that are supportable to regulators and meet the expectations of customers.
   - PAs have policies in place that are designed to manage risk for both the company and the customer.
2. Prioritize roles associated with workforce needs when considering future policy adjustments
3. Align background check requirements to risk associated with duties, functions, and circumstances of role
4. Provide clear and – to the greatest extent possible - aligned background check policies and procedures across PAs

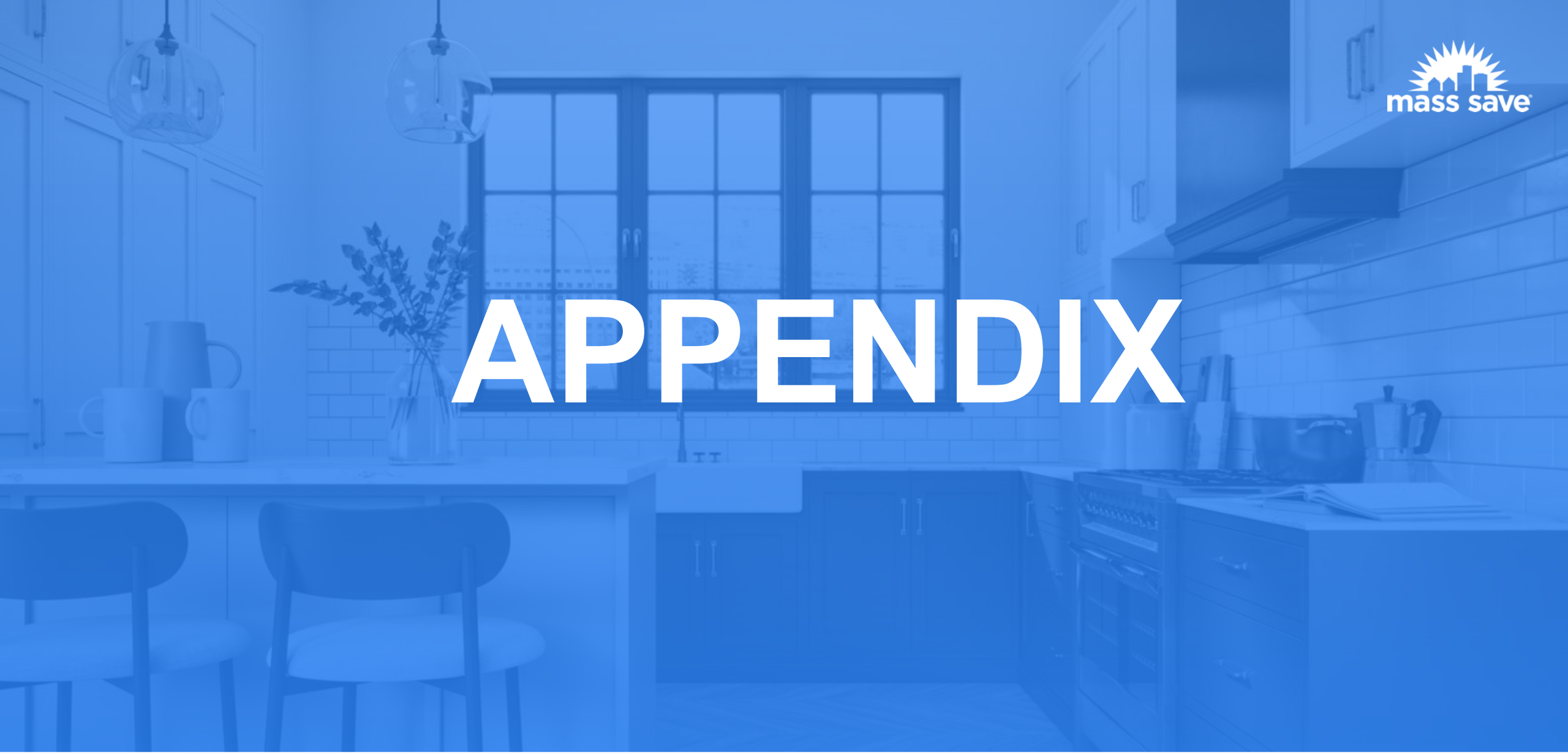
Next Steps

Explore partnership with an organization who has experience supporting returning citizens to participate in Clean Energy Pathways internship program*

Collaborate with MassCEC to provide support to contractors working/looking to work with justice-involved individuals through their CUBS grant and the Mass Save Contractor Development Pathway

Clearly communicate background check processes and support stakeholder and advocacy groups to spread accurate and updated information amongst the contractor community

*Please note that this program is supported by Eversource, National Grid, and MassCEC



APPENDIX

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Comparison with State Examples

Stakeholder Requested Approach	Transportation Network Drivers (DPU Regulations)	EOHHS
Decisions are based on convictions, not arrests or non-convictions	• Not aligned with request—outstanding or unresolved criminal proceedings, driving infractions, warrants for arrest are mandatory disqualifying conditions.	• Not fully aligned with request - may consider pending case for certain crimes
Standards are explicit, written, and publicly accessible	✓ Aligned with request and PA approach. *See* Suitability Standard at 220 CMR 274.21.	✓ Aligned. See below for further details

Comparison with State Examples Cont'd

Stakeholder Requested Approach	Transportation Network Drivers (DPU Regulations)	EOHHS
Screening applies to individual workers, not entire companies	✓ Aligned with request and PA approach, screening applies to individual drivers.	✓ Aligned with request and PA approach, screening applies to individuals
Background checks are work situation/job related	✓ Aligned with request and PA approach, requirements are designed for drivers.	✓ Aligned with request and PA approach – criminal background checks are required for applicants/ employees applying for roles with the potential for unsupervised contact with program clients, where required by law, or where deemed relevant for the requirements of the position

Comparison with State Examples Cont'd

Stakeholder Requested Approach	Transportation Network Drivers (DPU Regulations)	EOHHS
Each individual job category should be reviewed and background policies should be individualized to those job categories	✓ Aligned, see details above.	✓ Aligned, see details above.
Background checks should be done later in the process, after the decision to make an offer	✓ Aligned with request and PA practice—driver must pass check and receive clearance certificate to provide services.	✓ Aligned with request and PA practice - Only a candidate who is eligible for a position subject to criminal background check requirements and given a conditional employment offer may be asked to complete a supplemental form requiring the disclosure of their criminal record.

Comparison with State Examples Cont'd

Stakeholder Requested Approach	Transportation Network Drivers (DPU Regulations)	EOHHS
Develop a new system of "certification" that would certify an individual for a number of years even if they switch employers	- Partially aligned with request; note that the Department issues the clearance certificate, but each TND must also have a driver certificate issued by the transportation network company ("TNC"). 220 CMR 274.04-274.06	- Not aligned