



Solar on Multifamily Affordable Housing Program



CODE OF CONDUCT

FOR ALL PROGRAM PARTICIPANTS

- **The SOMAH program is committed to the safe and ethical expansion of solar access to communities living in affordable housing.**

As a historic energy equity investment centering economic and environmental justice communities, our community of practice must take a comprehensive view of safety, including both the physical and emotional safety of all program participants. The SOMAH Program Administrator (SOMAH PA) strives to be actively anti-racist, anti-sexist and genuine allies of all movements working toward human rights and environmental justice in keeping with the intent behind SOMAH's creation. To provide an emotionally safe environment for all program participants, we must center justice, equity, inclusion and diversity throughout the program and at every step of the project life cycle.

All program participants, including:

- **contractors and subcontractors,**
- **property owners/host customers,**
- **job trainees,**
- **job training organizations,**
- **Advisory Council and Job Training Organization Task Force members, and**
- **all others involved in SOMAH's implementation**

are required to comply with all relevant laws, regulations and program requirements and uphold the highest standards of integrity, honesty and respect in the conduct of program-related activities. These standards of conduct are conditions for participation in the SOMAH program, and breaches of this code are grounds for disciplinary action as provided by SOMAH Handbook Section 4.9, PA Recourse for Program Requirement Non-compliance.

- **We put safety first.**
- **Everyone has the right to a safe workplace, as provided by the Occupational Safety and Health Act of 1970.** The safety of the public and all SOMAH program participants is our highest priority, and SOMAH aims to support the installation of at least 300 MW of

solar energy on multifamily affordable housing through 2030 with zero incidents of workplace or related injuries.

- **Occupational safety:** Working safely and in compliance with all relevant state and



federal safety rules, laws, standards and procedures, including rules and regulations of the federal Occupational Safety and Health Administration (OSHA) and California Division of Occupational Safety and Health (Cal/OSHA), is a condition of SOMAH program participation.

- All participants are empowered and expected to stop work if they observe work being performed in an unsafe manner. Participants are encouraged to report unsafe job sites and/or behavior to the SOMAH PA and to [OSHA](#) and [Cal/OSHA](#).
- Contractors, subcontractors, and all applicable program participants must maintain compliant Injury and Illness Prevention Programs (IIPP) and Codes of Safety Practices; maintain all required insurance; post required safety information in workplaces and at job sites; ensure all relevant staff are sufficiently trained to perform work safely and handle incidents; and report unsafe conditions and incidents, where required.

- Contractors and their subcontractors must identify workforce exposure to safety hazards via risk assessments and job safety analysis. Hazards must be eliminated or controlled through proper design, engineering, procedural controls, and ongoing safety training. Where hazards cannot be adequately controlled by these means, the workforce must be provided with appropriate, well-maintained personal protective equipment (PPE).
- **Vehicle safety.** SOMAH participants must ensure that all vehicles used and transportation activities undertaken for SOMAH projects and administration are compliant with applicable Department of Transportation (DOT) and Department of Motor Vehicles regulations and codes. When operating a vehicle, drivers must carry a valid driver's license, comply with the state vehicle code and operate their vehicles safely at all times, including minimizing all distractions while driving, such as avoiding the use of a cell phone, not texting or emailing, and obeying all posted road regulations.
- **Industrial hygiene.** In all applicable instances, occupational hygiene and medical surveillance methods must be implemented by SOMAH participants to identify, eliminate and/or control workforce exposure to chemical, biological and physical agents and to provide ongoing monitoring and surveillance of affected personnel. Engineering or administrative controls must be used to control overexposures. When hazards cannot be adequately controlled by such means, the health of the workforce must be protected by appropriate PPE and programs.
- **COVID-19 safety.** SOMAH maintains a [COVID-19 response page](#), including the status of any related program accommodations, to provide guidance, resources, best practices and requirements for preventing the spread of COVID-19 infection in the solar construction industry. All participants are responsible for understanding and complying with all federal, state and local laws, regulations and best practices to mitigate the spread of COVID-19.
- **Emergency preparedness.** SOMAH participants must identify potential emergency situations and events associated with the work or location of the work to be carried out for SOMAH projects and administration, and minimize potential impacts by implementing the following emergency plans and response procedures, where applicable: response equipment and PPE, emergency response reporting,

workforce/public notification and evacuation procedures, emergency response training and drills, appropriate fire/emergency detection and suppression equipment, adequate exit or escape paths and recovery plans.

- **Fitness for duty.** Participants must have a process in place for determining if members of their workforce are safely and efficiently able to perform the essential physical, psychological, and cognitive requirements of their job, with or without accommodation, without risk to self, others or the environment; and for ensuring that they are not impaired by drugs, alcohol, disabling medical conditions or fatigue. The use, possession, purchase, sale, or the offer to sell, transfer, provide or share illegal drugs, or recreational and medical marijuana, during the execution of work for or on behalf of SOMAH, is prohibited, as is being in possession of, or under the influence of, medication prescribed for someone other than the prescribed patient. Similarly, work for or on behalf of SOMAH must never be performed while under the influence of alcohol.
- **Violence-free workplace.** Workplace violence is any act or threat of physical violence, harassment, intimidation, or other threatening disruptive behavior that occurs at the work site. It ranges from threats and verbal abuse to physical assaults and even homicide. SOMAH has a zero-tolerance policy for workplace violence, covering all participants (as defined on page 2), and encourages employers to provide training and resources for situational awareness, conflict de-escalation and mediation, and handling and reporting incidences of workplace violence, including bystander intervention.
 - **Weapons.** A weapon is a firearm, ammunition, explosive or any other device or object that could be construed as a weapon. Weapons do not include tools that are used for legitimate business purposes, or personal defense products that are otherwise legal and permitted. Participants are prohibited from carrying, using, and storing weapons on SOMAH job sites or at SOMAH events.

- **We maintain fair employment & labor protections.**

- **We uphold federal law.** The United States Equal Employment Opportunity Commission (EEOC) enforces federal laws prohibiting employment discrimination, harassment, and retaliation. These laws protect you against discrimination when it involves:

- Unfair treatment because of your race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age, disability, or genetic information.
- Harassment by managers, co-workers, or others in your workplace, because of your race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.
- Denial of a reasonable workplace accommodation that you need because of your religious beliefs or disability.
- Retaliation because you complained about job discrimination or assisted with a job discrimination investigation or lawsuit.

Learn more about federal laws that protect employees on the [EEOC website](#).

- **We uphold state and local laws.** California state and local laws may be broader than federal law and prohibit additional forms of employment discrimination, harassment, and retaliation. The California Department of Fair Employment and Housing (DFEH) is responsible for enforcing state laws that make it illegal to discriminate against a job applicant or employee because of a protected characteristic.
 - California law protects individuals from illegal discrimination by employers based on the following: race (including traits historically associated with race, such as hair texture and protective hairstyles), color, ancestry, national origin, religion, creed, age (40 and older), mental or physical disability (actual or perceived), medical condition (including cancer or cancer-related conditions or genetic characteristics), sex, gender (including pregnancy, childbirth, breastfeeding or related medical conditions), sexual orientation, gender identity (including transgender status, gender expression, gender transitioning, or perceived gender transitioning), marital or civil partnership/union status, military or veteran status.
 - As required by the State of California, all employers are required to regularly train staff in anti-harassment practices.
 - Learn more about California state laws that protect employees on the [DFEH website](#).

- **We prohibit child labor.** The employment of individuals under the legal minimum working age is prohibited. Except in limited circumstances defined in law and summarized in the [Child Labor Law Booklet](#), all minors under 18 years of age employed in the state of California must have a permit to work.
- **We prohibit forced labor.** The use of forced or involuntary labor whether bonded, imprisoned, or indentured, including debt servitude is prohibited.
- **We implement fair and lawful working hours.** Participants must comply with all work hour laws and regulations.
- **We value fair wages, insurance and benefits.** Participants must comply with all applicable wage, insurance, and benefit laws and regulations. SOMAH job trainees must receive wages at or above [the wage floor established by the program](#).



- **We value freedom of association.** Participants must comply with all applicable laws relating to employees' rights to engage in concerted activity or collective bargaining.
- **We expect a harassment-free and discrimination-free workplace.** Harassment and discrimination, whether overt or subtle, is forbidden by the SOMAH program including racism, sexism and discrimination against any characteristic protected by state and federal labor laws. Harassment and discrimination will not be tolerated and may be grounds for immediate program removal.
- **We expect whistleblower protections and non-retaliation.** Retaliation in any form against a person for reporting compliance or ethical issues or for any other reason is prohibited.

- **We maintain ethical business & communication practices.**

- **Level playing field.** The overall success of the SOMAH program is predicated, in part, on the maintenance of a fair, open and transparent solar project development market. To protect the solar project development market, the SOMAH PA is committed to ensuring

all program participants, including project developers, have equal access to all relevant program and project information, and no program participant or project developer receives any special advantage, recommendation or information to which the public does not also have access. No participant should provide or receive an unfair advantage or financial benefit in accessing program incentives or other resources. Perceived conflicts of interest must be reported to the SOMAH PA.

- **Program communications.** All official program communications are handled by the SOMAH PA. No SOMAH participant or entity will represent themselves to the media as speaking on behalf of the SOMAH PA unless expressly authorized to do so by the SOMAH PA. Any media inquiries may be referred to media@calsomah.org.
- **Brand guidelines.** The SOMAH PA has provided and maintains [brand guidelines](#) that clearly define the words and images we use to communicate about SOMAH. With many partners collaborating on communicating SOMAH's benefits, it's important that we align on our messaging and are united in how we present the program.

- **Use of SOMAH's graphic marks.** When co-branding with SOMAH, eligible contractors are required to use SOMAH's Eligible Contractor graphic mark rather than the program's general logo. Eligible Job Training Organizations must similarly use the SOMAH Eligible Job Training Organization graphic mark rather than the program's general logo.



- **Consumer protection.** In providing historic resources for expanding solar access to eligible multifamily affordable housing, the SOMAH program takes a zero-tolerance approach for providing false or misleading representations about SOMAH and solar energy, particularly as it relates to the financial value proposition, which is an important consumer protection issue in California's solar industry. Solar providers must comply with all applicable laws and regulations, including requirements around California Public Utilities Commission's (CPUC) [Solar Consumer Protection Guide](#). The CPUC recommends that solar providers present this guide during their first contact with potential customers. While the focus of this resource is single-family homeowners considering a solar energy system for their home, much of its content is also relevant for potential

multifamily affordable housing property owners, and we encourage all SOMAH participants to review the guide carefully to ensure accurate communication about solar energy and its benefits.



- **We are committed to environmental stewardship.**
- **Comply with all relevant environmental regulations.** Environmental justice is at the heart of what we do. All SOMAH participants must comply with all applicable environmental laws and regulations and conduct their operations in a way that protects the environment.
- **Let's work together to "leave no trace"** (except beautiful solar modules, hardware, and on-bill credits). Contractors should ensure their job site is neat and clear of debris on an ongoing basis during construction and take a reduce-reuse-recycle approach to materials where applicable. While solar energy systems may operate safely and effectively for decades, we encourage participants to consider the full project lifecycle of their operations, consider ways to improve supply chain sustainability, and think ahead about module and hardware disposal and recycling.

- **We encourage ethical procurement & supply chain diversity.**
 - **Responsible procurement.** SOMAH encourages all participants to take reasonable steps to procure products and services from ethical sources and to ensure that sub-suppliers are aware of and comply with the principles of conduct in this Code.
 - **Encouragement of work with diverse business enterprise-certified entities.** SOMAH is committed to maximizing program benefits in economic and environmental justice communities and encourages the participation of diverse business enterprises, including minority-owned, women-owned, LGBT-owned, and service-disabled veteran-owned businesses, as well as small businesses in general. All participants are encouraged to engage with and support the success of diverse business enterprises, through partnerships, subcontracting, mentorship, training, technical assistance and sharing of expertise, systems and tools, among other supplier development activities.



- **Our door is open.**

The SOMAH PA is committed to ensuring all program participants have means for bringing questions, comments, complaints, and perceived breaches of this Code of Conduct to the SOMAH PA. The SOMAH PA is committed to addressing inquiries fairly and in a timely manner.

Here’s how you can reach us for any concerns or comments about the program or program participants:

- [Contact form via CalSOMAH.org](#)
- General SOMAH email: Contact@CalSOMAH.org
- SOMAH Hotline: 858-244-1177, ext. 5
- Other inboxes for specific program areas:
 - Workforce development, job training, and Job Training Organization Task Force: Workforce@CalSOMAH.org
 - Tenant education: Tenants@CalSOMAH.org
 - Technical assistance: TA@CalSOMAH.org
 - Advisory Council: AdvisoryCouncil@CalSOMAH.org
 - Community based organizations: CBOs@CalSOMAH.org

Does your issue go beyond SOMAH program requirements? The SOMAH program does not provide legal advice, but if you believe there has been a violation of your labor/employment rights, we want to make you aware of the following state and federal reporting portals listed under page 11.



- How to report

Type of complaint	Level	Who to contact
Workplace safety and health complaint	Federal	U.S. Department of Labor Occupational Safety and Health Administration (OSHA)
Workplace safety and health complaint	State	California Department of Industrial Relations Division of Occupational Safety and Health (Cal/OSHA)
Retaliation complaints based on OSHA claims	Federal	U.S. Department of Labor Occupational Safety and Health Administration (OSHA)
Retaliation complaints based on Cal/OSHA claims	State	California Department of Industrial Relations (DIR)
Employment discrimination	Federal	U.S. Equal Employment Opportunity Commission (EEOC)
Employment discrimination	State	California Department of Fair Employment & Housing (DFEH)
Complaint against a utility provider or against the SOMAH Program Administrator*	State	California Public Utilities Commission, Consumer Affairs Branch

*Complaints about the SOMAH program or program participants should be directed to the SOMAH PA via the SOMAH channels listed above. Complaints specifically against the SOMAH PA that cannot be resolved by the SOMAH PA and the complainant should be directed to the CPUC Consumer Affairs Branch.

- **Disclaimer**

Participants must comply with federal, state, and local laws and regulations. This Code of Conduct is not intended to and does not supersede federal, state, or local laws or regulations. Where this document is in conflict with any program requirements for the SOMAH program, the SOMAH program Handbook, in its implementation of Decision D.17-12-022 and Assembly Bill (AB) 693 (Eggman, Chapter 582, 2015) will supersede.