
SECOND SUBSTITUTE HOUSE BILL 2630

State of Washington

57th Legislature

2002 Regular Session

By House Committee on Capital Budget (originally sponsored by Representatives Conway, Cairnes, Cooper, Wood, Lantz, Sullivan, Berkey, Edwards, Tokuda, Chase, Ogden, Santos and Simpson)

Read first time 02/12/2002. Referred to Committee on .

1 AN ACT Relating to apprenticeship utilization requirements; and
2 adding new sections to chapter 39.04 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 NEW SECTION. **Sec. 1.** A well-trained work force is critical to the
5 economic and social vitality of the state of Washington. Studies of
6 the state's work force highlight population trends that, without a
7 concerted effort to offset them, will lead to an inadequate supply of
8 skilled workers in the construction industry. Apprenticeship training
9 programs are particularly effective in providing training and
10 experience to individuals seeking to enter or advance in the work
11 force. Public works contracts can provide training and experience as
12 a means to increase the skills of the state's work force and to help
13 apprentices become journeyworkers.

14 NEW SECTION. **Sec. 2.** The definitions in this section apply
15 throughout sections 1 through 3 of this act unless the context clearly
16 requires otherwise.

17 (1) "Apprentice" means an apprentice enrolled in a state-approved
18 apprenticeship training program.

1 (2) "Apprentice utilization requirement" means the requirement that
2 the appropriate percentage of labor hours be performed by apprentices.

3 (3) "Labor hours" means the total hours of workers receiving an
4 hourly wage who are directly employed on the site of the public works
5 project. "Labor hours" includes hours performed by workers employed by
6 the contractor and all subcontractors working on the project. "Labor
7 hours" does not include hours worked by foremen, superintendents,
8 owners, and workers who are not subject to prevailing wage
9 requirements.

10 (4) "State-approved apprenticeship training program" means an
11 apprenticeship training program approved by the Washington state
12 apprenticeship council.

13 NEW SECTION. **Sec. 3.** (1) From July 1, 2002, through December 31,
14 2002, all contracts for public works estimated to cost two million
15 dollars or more shall require that no less than ten percent of the
16 labor hours be performed by apprentices.

17 (2) From January 1, 2003, through December 31, 2003, all contracts
18 for public works estimated to cost two million dollars or more shall
19 require that no less than twelve percent of the labor hours be
20 performed by apprentices.

21 (3) From January 1, 2004, and thereafter, all contracts for public
22 works estimated to cost one million dollars or more shall require that
23 no less than fifteen percent of the labor hours be performed by
24 apprentices.

25 (4) Awarding agency directors shall adjust the requirements of this
26 section for a specific project for the following reasons:

27 (a) The lack of availability of apprentices in specific geographic
28 areas, demonstrated by a failure of solicitations sufficient to fill
29 the jobs needed. The contractor may apply for an adjustment under this
30 subsection (4)(a) after the employment solicitations have been
31 insufficient for thirty days after the initiation of work under the
32 public works contract;

33 (b) A disproportionately high ratio of material costs to labor
34 hours, which does not make feasible the required minimum levels of
35 apprentice participation;

36 (c) Participating contractors have demonstrated a good faith effort
37 to comply with the requirements of this act; or

1 (d) Other criteria the awarding agency director deems appropriate,
2 which is subject to prior review by the apprenticeship program manager
3 of the department of labor and industries.

4 (5) A contractor must make reasonable efforts to apply the
5 apprentice utilization percentage requirements listed in subsections
6 (1) through (3) of this section so that the appropriate percentage of
7 labor hours in each separate craft or trade is performed by apprentices
8 in that craft or trade.

9 (6) This section applies only to public works contracts awarded by
10 the state and the institutions of higher education as defined in RCW
11 28B.10.016. However, this section does not apply to contracts awarded
12 by state agencies headed by a separately elected public official and
13 the department of transportation.

14 (7)(a) The department of general administration must provide
15 information and technical assistance to affected agencies and collect
16 the following data from affected agencies for each project covered by
17 this section:

18 (i) The number of apprentices and labor hours worked by them,
19 categorized by trade or craft;

20 (ii) The number of journey-level workers and labor hours worked by
21 them, categorized by trade or craft; and

22 (iii) The number, type, and rationale for the exceptions granted
23 under subsection (4) of this section.

24 (b) By January 1, 2003, and each year thereafter, the department of
25 general administration shall compile and summarize the agency data and
26 provide reports to the senate labor, commerce and financial
27 institutions committee, the house commerce and labor committee, or
28 their successor committees, and the governor. The report shall include
29 recommendations on modifications or improvements to the apprentice
30 utilization program.

31 (8) By January 1, 2003, and each year thereafter, the department of
32 labor and industries must report to the senate labor, commerce and
33 financial institutions committee, the house commerce and labor
34 committee, or their successor committees, and the governor on skill
35 shortages in each trade or craft.

1 NEW SECTION. **Sec. 4.** Sections 1 through 3 of this act are each
2 added to chapter 39.04 RCW.

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