
HOUSE BILL 2630

State of Washington

57th Legislature

2002 Regular Session

By Representatives Conway, Cairnes, Cooper, Wood, Lantz, Sullivan, Berkey, Edwards, Tokuda, Chase, Ogden, Santos and Simpson

Read first time 01/23/2002. Referred to Committee on Commerce & Labor.

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 workforce is critical to the
5 economic and social vitality of the state of Washington. Studies of
6 the state's workforce 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 workforce 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 within each separate craft or
3 trade be performed by apprentices of that craft or trade.

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

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

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

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

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

27 (4) Awarding agency directors may adjust the requirements of this
28 section for a specific project for the following reasons:

29 (a) The demonstrated lack of availability of apprentices in
30 specific geographic areas;

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

34 (c) Other criteria the awarding agency director deems appropriate,
35 which is subject to prior review by the apprenticeship program manager
36 of the department of labor and industries.

37 (5) The failure by a contractor to comply with the apprentice
38 utilization requirement shall be deemed a breach of contract for which

1 the state or the municipality is entitled to all remedies allowed by
2 law and under the contract. Failure to comply with the apprentice
3 utilization requirement may be considered evidence bearing on a
4 contractor's qualification for award of future contracts.

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

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