

SSB 5097 - H AMD

By Representative Clements

1 On page 2, line 5, after "program" insert "or a worker
2 participating in another training program"

3 On page 2, after line 17, insert the following:

4 "(5) "Training program" means a formal training program
5 conducted by an employer and approved by the awarding agency, or a
6 private vocational school licensed under chapter 28B.10 RCW, or an
7 institution of higher education as defined in RCW 28B.10.016."

8 On page 2, line 33, after "(3)" insert the following:

9 "Awarding agency directors shall ensure that apprentices
10 enrolled in state-approved apprenticeship training programs and
11 workers participating in training programs are given fair and equal
12 opportunity to perform labor hours on public works. Awarding
13 agency directors shall not act as gatekeepers that grant access to
14 some apprentices, as defined in this act, and deny access to
15 others.

16 (4)"

17 Renumber the remaining subsections and correct internal
18 references.

19 On page 3, line 5, after "number" insert ", if applicable"

20 On page 3, after line 26, insert the following:

21 "NEW SECTION. **Sec. 4.** (1) An agency may not discriminate
22 against:

1 (a) An employer bidding or working on a public works project
2 based on enrollment of employees in state-approved apprenticeship
3 training programs or participation of employees in other training
4 programs; or

5 (b) An employee of an employee bidding or working on a public
6 works project because of enrollment in a state-approved
7 apprenticeship training program or participation in another
8 training programs.

9 (2) The superior court shall have jurisdiction to restrain
10 violations of subsection (1) of this section, to order all
11 appropriate relief, and to award fees and other expenses, including
12 reasonable attorneys' fees, to prevailing parties."

13 Renumber the remaining sections and correct internal
14 references.

EFFECT: Adds trainees in certain training programs to the
types of workers that may be used to meet the utilization
requirement.

Defines training programs as those conduct by: (1) An employer
approved by the awarding agency; (2) private vocational
schools; or (3) institutions of higher education.

Requires awarding agency directors to ensure that apprentices
in state-approved apprenticeship training programs and workers
in training programs are given fair and equal opportunities to
perform labor hours on public works.

Prohibits agencies from discriminating against employers
bidding on or working on public works projects, and their
employees, based on enrollment in state-approved
apprenticeship training programs, or participation in other
training programs; gives the superior court jurisdiction to
restrain such discrimination, order relief, and award fees and
expenses, including attorneys' fees, to prevailing parties.