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SECOND SUBSTITUTE SENATE BILL 6480

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State of Washington                      59th Legislature                      2006 Regular Session

By Senate Committee on Transportation (originally sponsored by Senators Kohl-Welles, Haugen, Brown and Keiser; by request of Department of Transportation)

READ FIRST TIME 02/07/06.

1            AN ACT Relating to apprenticeship utilization requirements for  
2 department of transportation public works projects; amending RCW  
3 39.04.300 and 39.04.320; and adding a new section to chapter 39.04 RCW.

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

5            **Sec. 1.** RCW 39.04.300 and 2005 c 3 s 1 are each amended to read as  
6 follows:

7            A well-trained construction trades work force is critical to the  
8 ability of the state of Washington to construct public works. Studies  
9 of the state's work force highlight population trends that, without a  
10 concerted effort to offset them, will lead to an inadequate supply of  
11 skilled workers in the construction industry. State government  
12 regularly constructs public works. The efficient and economical  
13 construction of public works projects will be harmed if there is not an  
14 ample supply of trained construction workers. Apprenticeship training  
15 programs are particularly effective in providing training and  
16 experience to individuals seeking to enter or advance in the work  
17 force. By providing for apprenticeship utilization on public works  
18 projects, state government can create opportunities for training and  
19 experience that will help assure that a trained work force will be

1 available, including returning veterans, in sufficient numbers in the  
2 future for the construction of public works. Furthermore, the state of  
3 Washington hereby establishes its intent to assist returning veterans  
4 through programs such as the "helmets to hardhats" program, which is  
5 administered by the center for military recruitment, assessment, and  
6 veterans employment. It is the state's intent to assist returning  
7 veterans with apprenticeship placement career opportunities, in order  
8 to expedite the transition from military service to the construction  
9 work force.

10 **Sec. 2.** RCW 39.04.320 and 2005 c 3 s 3 are each amended to read as  
11 follows:

12 (1)(a) Except as provided in (b) of this subsection, from January  
13 1, 2005, and thereafter, for all public works estimated to cost one  
14 million dollars or more, all specifications shall require that no less  
15 than fifteen percent of the labor hours be performed by apprentices.

16 (b)(i) This section does not apply to contracts advertised for bid  
17 before July 1, 2007, for any public works by the department of  
18 transportation.

19 (ii) For contracts advertised for bid on or after July 1, 2007, and  
20 before July 1, 2008, for all public works by the department of  
21 transportation estimated to cost two million dollars or more, all  
22 specifications shall require that no less than ten percent of the labor  
23 hours be performed by apprentices.

24 (iii) For contracts advertised for bid on or after July 1, 2008,  
25 and before July 1, 2009, for all public works by the department of  
26 transportation estimated to cost two million dollars or more, all  
27 specifications shall require that no less than twelve percent of the  
28 labor hours be performed by apprentices.

29 (iv) For contracts advertised for bid on or after July 1, 2009, for  
30 all public works by the department of transportation estimated to cost  
31 one million dollars or more, all specifications shall require that no  
32 less than fifteen percent of the labor hours be performed by  
33 apprentices.

34 (2) Awarding agency directors may adjust the requirements of this  
35 section for a specific project for the following reasons:

36 (a) The demonstrated lack of availability of apprentices in  
37 specific geographic areas;

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

4 (c) Participating contractors have demonstrated a good faith effort  
5 to comply with the requirements of (~~chapter 3, Laws of 2005~~) RCW  
6 39.04.300 and 39.04.310 and this section; or

7 (d) Other criteria the awarding agency director deems appropriate,  
8 which are subject to review by the office of the governor.

9 (3) This section applies only to public works contracts awarded by  
10 the state. However, this section does not apply to contracts awarded  
11 by state four-year institutions of higher education(~~(7)~~) or state  
12 agencies headed by a separately elected public official(~~(7 or the~~  
13 ~~department of transportation)~~)).

14 (4)(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 name of each apprentice and apprentice registration number;

19 (ii) The name of each project;

20 (iii) The dollar value of each project;

21 (iv) The date of the contractor's notice to proceed;

22 (v) The number of apprentices and labor hours worked by them,  
23 categorized by trade or craft;

24 (vi) The number of journey level workers and labor hours worked by  
25 them, categorized by trade or craft; and

26 (vii) The number, type, and rationale for the exceptions granted  
27 under subsection (2) of this section.

28 (b) The department of labor and industries shall assist the  
29 department of general administration in providing information and  
30 technical assistance.

31 The secretary of transportation shall establish an  
32 apprenticeship utilization advisory committee, which shall consist of  
33 equal numbers of representatives of contractors and labor. The  
34 advisory committee shall meet regularly with the secretary of  
35 transportation to discuss implementation of this section by the  
36 department of transportation, including development of the process to  
37 be used to adjust the requirements of this section for a specific  
38 project.

1       (6) At the request of the senate labor, commerce, research and  
2 development committee, the house of representatives commerce and labor  
3 committee, or their successor committees, and the governor, the  
4 department of general administration and the department of labor and  
5 industries shall compile and summarize the agency data and provide a  
6 joint report to both committees. The report shall include  
7 recommendations on modifications or improvements to the apprentice  
8 utilization program and information on skill shortages in each trade or  
9 craft.

10       NEW SECTION. **Sec. 3.** A new section is added to chapter 39.04 RCW  
11 to read as follows:

12       The Washington state apprenticeship and training council shall lead  
13 and coordinate an outreach effort to educate returning veterans about  
14 apprenticeship and career opportunities in the construction industry.  
15 The outreach effort shall include information about the "helmets to  
16 hardhats" program and other paths for making the transition from  
17 military service to the construction work force. The outreach effort  
18 shall be developed and coordinated with apprenticeship programs, other  
19 state agencies involved in work force training, and representatives of  
20 contractors and labor.

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