

HOUSE BILL REPORT

ESHB 1922

As Passed House:
March 9, 2013

Title: An act relating to highway construction workforce development.

Brief Description: Concerning highway construction workforce development.

Sponsors: House Committee on Transportation (originally sponsored by Representatives Moscoso, Angel, Sells, Ryu, Upthegrove, Fitzgibbon, Zeiger, Freeman, Bergquist, Farrell, Takko, Tarleton, Kochmar, Riccelli, Moeller, Fey, Santos and Pollet).

Brief History:

Committee Activity:

Transportation: 2/26/13, 2/28/13 [DPS].

Floor Activity:

Passed House: 3/9/13, 57-41.

Brief Summary of Engrossed Substitute Bill

- Requires the Washington State Department of Transportation (WSDOT) to expend \$1,900,000 or 0.5 percent of federal highway Surface Transportation Program capital funds, whichever is less, for apprenticeship preparation, apprenticeship, and support services.
- Adds recruitment of women, veterans, and persons of color to participate in the apprenticeship program at the WSDOT to the list of services that the WSDOT must provide in coordination with the Washington State Apprenticeship and Training Council and the WSDOT Apprenticeship Utilization Advisory Committee.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 20 members: Representatives Clibborn, Chair; Fey, Vice Chair; Liias, Vice Chair; Moscoso, Vice Chair; Angel, Bergquist, Farrell, Fitzgibbon, Habib, Kochmar, Moeller, Morris, O'Ban, Riccelli, Ryu, Sells, Takko, Tarleton, Upthegrove and Zeiger.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Minority Report: Do not pass. Signed by 10 members: Representatives Orcutt, Ranking Minority Member; Hargrove, Assistant Ranking Minority Member; Overstreet, Assistant Ranking Minority Member; Hayes, Johnson, Klippert, Kretz, Kristiansen, Rodne and Shea.

Staff: David Munnecke (786-7315).

Background:

On-the-Job Training Programs.

The Federal Highway Administration On-the-Job Training (OJT) program is established in federal law. It requires state transportation agencies receiving certain federal funds to establish apprenticeship and training programs aimed at increasing the number of women, minorities, and disadvantaged individuals in journey-level highway construction positions. The stated goal is to ensure a competent workforce to meet highway construction hiring needs and to address the historical under-representation of these groups in highway construction skilled crafts.

The OJT/Supportive Services program was created in federal regulation to supplement the OJT program by providing services to highway construction contractors and assistance to highway construction apprentices and trainees. Under federal law, the federal Secretary of Transportation may fund the OJT/Supportive Services in an amount not to exceed \$10 million annually. These funds are distributed through a competitive grant process. State transportation agencies may also use up to one-half of 1 percent of funds apportioned to the state under the federal Surface Transportation Program and the Highway Bridge Replacement and Rehabilitation Program for the OJT/Supportive Services. The OJT/Supportive Services may fund recruitment, skills training, job placement, child care, outreach, transportation to work sites, post-graduation follow-up, and job-site mentoring.

In Washington, the OJT/Support Services Unit is within the Office of Equal Opportunity at the Washington State Department of Transportation (WSDOT). The OJT/Supportive Services Unit's stated goal is to provide support services to increase the number of minorities and women participating in the federal-aid highway construction industry. It is currently funded through funds received through the competitive grant process.

Washington State Apprenticeship and Training Council.

The Washington State Apprenticeship and Training Council (Council) oversees the state apprenticeship program within the Department of Labor and Industries (L&I). The Council establishes apprenticeship program standards, approves apprenticeship training programs, and otherwise governs apprenticeship programs.

Washington State Department of Transportation.

The WSDOT is required to expend federal funds received under the federal OJT program to increase diversity in the highway construction workforce and prepare individuals interested in entering the highway construction workforce by providing certain OJT/Supportive Services. The WSDOT must also coordinate with the Council to provide any portion of these OJT/Supportive Services:

- preapprenticeship programs;
- preemployment counseling;

- orientations on the highway construction industry, including outreach to women, minorities, and other disadvantaged individuals;
- basic skills improvement classes;
- career counseling;
- remedial training;
- entry requirements for training programs;
- supportive services and assistance with transportation;
- child care and special needs;
- job-site mentoring and retention services; and
- assistance with tools, protective clothing, and other related support for employment costs.

The WSDOT is also required, in coordination with the Council and to the extent practicable, to expend moneys from other sources to provide these activities. The requirements for the WSDOT related to these activities do not apply or reduce funds that would otherwise be allocated to local governments.

The WSDOT, in coordination with the Council, must submit a report to the Transportation committees of the Legislature by December 1 of each year. The report must contain:

- an analysis of the results of providing these services;
- the amount available to the WSDOT from federal funds for the services and the amount expended for those services; and
- the performance outcomes achieved from each activity, including the number of persons receiving services, training, and employment.

Summary of Engrossed Substitute Bill:

The WSDOT is required to expend \$1,900,000 or 0.5 percent of federal highway Surface Transportation Program capital funds, whichever is less, for apprenticeship preparation and support services. This amount may be reduced by the amount of other funds expended for this purpose, except for federal funds provided for these purposes.

The recruitment of women and persons of color to participate in the apprenticeship program at the WSDOT is added to the list of services that the WSDOT must provide in coordination with the Council and the WSDOT Apprenticeship Utilization Advisory Committee.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There is a need for the programs in this bill because it is difficult for women and disadvantaged individuals to find apprenticeships and post-apprenticeship positions. There are significant cost savings associated with these programs too, since they allow for payment

of a lower wage while people are trained. They should be implemented as we are contemplating an increase in transportation funding.

This program already exists in Oregon and many other states, and the bill is modeled on the Oregon program. It helps people to succeed by helping them to understand the system, and allows them to live dignified lives. It will bring more people into construction, and workers are needed due to the aging of the workforce. It applies to both union and nonunion worksites. Stable, well-funded programs work and will fill the current shortages in the industry.

Programs such as this one have been bringing women into the construction industry for 30 years. It is how we find diverse populations who can succeed in their careers, and it provides opportunities for minorities. People are available who are bright and eager, and this helps them to get trained. These programs can also help veterans, who are ready to get up early and work hard.

The construction trades have generally been white and male, and King County has been under court order in the past to create more opportunities for women and minorities in the construction trades.

Once people graduate from these programs they are journeyman level, are generally highly desirable in the industry, and are able to find a position. There are positions on a worksite for both the highly-skilled and the less-skilled workers. The industry tries not to start too many apprentices at once so as not to displace journeyman workers.

(Opposed) None.

Persons Testifying: Representative Moscoso, prime sponsor; Terry Tilton, Northwest Carpenters and National Construction Alliance; Tami St. Paul, Operating Engineers Apprentices; Nina Martinez, Latino Civic Alliance; Dave Myers, Washington State Building Construction Trades Council; Randy Loomons; Halene Sigmond, Construction Industry Training Council; Angellica Watson; Susan Crane and Dave McFellan, Washington State Apprenticeship and Training Council and SkillUp Washington; Peter Lahmann, Washington State Apprenticeship Coordinators Association; and Melinda Nichols.

Persons Signed In To Testify But Not Testifying: None.