
HOUSE BILL 1898

State of Washington

60th Legislature

2007 Regular Session

By Representatives Quall, Conway, Haler, Santos, Appleton, McDermott, Haigh, P. Sullivan, Chase, Green, Fromhold, Moeller, Wood, Simpson, Linville, Hunt, Barlow, Sells, Hasegawa, Kenney, Hudgins, Morrell and Ormsby

Read first time 01/31/2007. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to apprenticeship utilization requirements on
2 school district public works projects; and amending RCW 39.04.310 and
3 39.04.320.

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

5 **Sec. 1.** RCW 39.04.310 and 2005 c 3 s 2 are each amended to read as
6 follows:

7 The definitions in this section apply throughout this section and
8 RCW 39.04.300 and 39.04.320 unless the context clearly requires
9 otherwise.

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

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

14 (3) "Labor hours" means the total hours of workers receiving an
15 hourly wage who are directly employed on the site of the public works
16 project. "Labor hours" includes hours performed by workers employed by
17 the contractor and all subcontractors working on the project. "Labor
18 hours" does not include hours worked by foremen, superintendents,

1 owners, and workers who are not subject to prevailing wage
2 requirements.

3 (4) "School district" has the same meaning as in RCW 28A.315.025.

4 (5) "State-approved apprenticeship training program" means an
5 apprenticeship training program approved by the Washington state
6 apprenticeship council.

7 **Sec. 2.** RCW 39.04.320 and 2006 c 321 s 2 are each amended to read
8 as follows:

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

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

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

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

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

32 (c)(i) This section does not apply to contracts advertised for bid
33 before January 1, 2008, for any public works by a school district.

34 (ii) For contracts advertised for bid on or after January 1, 2008,
35 for all public works by a school district estimated to cost one million
36 dollars or more, all specifications shall require that no less than
37 fifteen percent of the labor hours be performed by apprentices.

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

3 (a) The demonstrated lack of availability of apprentices in
4 specific geographic areas;

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

8 (c) Participating contractors have demonstrated a good faith effort
9 to comply with the requirements of RCW 39.04.300 and 39.04.310 and this
10 section; or

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

13 (3) The secretary of the department of transportation shall adjust
14 the requirements of this section for a specific project for the
15 following reasons:

16 (a) The demonstrated lack of availability of apprentices in
17 specific geographic areas; or

18 (b) A disproportionately high ratio of material costs to labor
19 hours, which does not make feasible the required minimum levels of
20 apprentice participation.

21 (4) This section applies (~~only~~) to public works contracts awarded
22 by the state and to public works contracts awarded by school districts.
23 However, this section does not apply to contracts awarded by state
24 four-year institutions of higher education or state agencies headed by
25 a separately elected public official.

26 (5)(a) The department of general administration must provide
27 information and technical assistance to affected agencies and collect
28 the following data from affected agencies for each project covered by
29 this section:

30 (i) The name of each apprentice and apprentice registration number;

31 (ii) The name of each project;

32 (iii) The dollar value of each project;

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

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

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

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

3 (b) The department of labor and industries shall assist the
4 department of general administration in providing information and
5 technical assistance.

6 (6) The secretary of transportation shall establish an
7 apprenticeship utilization advisory committee, which shall include
8 statewide geographic representation and consist of equal numbers of
9 representatives of contractors and labor. The committee must include
10 at least one member representing contractor businesses with less than
11 thirty-five employees. The advisory committee shall meet regularly
12 with the secretary of transportation to discuss implementation of this
13 section by the department of transportation, including development of
14 the process to be used to adjust the requirements of this section for
15 a specific project. The committee shall provide a report to the
16 legislature by January 1, 2008, on the effects of the apprentice labor
17 requirement on transportation projects and on the availability of
18 apprentice labor and programs statewide.

19 (7) At the request of the senate labor, commerce, research and
20 development committee, the house of representatives commerce and labor
21 committee, or their successor committees, and the governor, the
22 department of general administration and the department of labor and
23 industries shall compile and summarize the agency data and provide a
24 joint report to both committees. The report shall include
25 recommendations on modifications or improvements to the apprentice
26 utilization program and information on skill shortages in each trade or
27 craft.

--- END ---