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**SUBSTITUTE SENATE BILL 5491**

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**State of Washington**

**56th Legislature**

**1999 Regular Session**

**By** Senate Committee on Labor & Workforce Development (originally sponsored by Senators Costa, Roach, Franklin, Thibaudeau, McAuliffe and Kline)

Read first time 03/03/1999.

1 AN ACT Relating to the required use of apprentices on public works  
2 projects; and 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 work force is critical to the  
5 economic and social vitality of the state of Washington. Recent  
6 studies of the state's work force highlight population trends that,  
7 without a concerted effort to offset them, will lead to an inadequate  
8 supply of skilled workers in the construction industry. Apprenticeship  
9 training 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 work force, and to help  
13 apprentices become journeyworkers.

14 NEW SECTION. **Sec. 2.** The definitions in this section apply  
15 throughout this act unless the context clearly requires otherwise.

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

1 (2) "Apprentice utilization requirement" means the requirement that  
2 no less than ten percent of the labor hours be performed by  
3 apprentices.

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" shall include hours performed by workers  
7 employed by the contractor and all subcontractors working on the  
8 project. "Labor hours" shall exclude hours worked by foremen,  
9 superintendents, owners, and workers who are not subject to prevailing  
10 wage requirements.

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

14 NEW SECTION. Sec. 3. (1) All contracts for public works estimated  
15 to cost one million dollars or more shall require that no less than ten  
16 percent of the labor hours be performed by apprentices.

17 (2) The failure by a contractor to comply with the apprentice  
18 utilization requirements shall be deemed a breach of contract for which  
19 the state or the municipality shall be entitled to all remedies allowed  
20 by law and under the contract. Failure to comply with the apprentice  
21 utilization requirement may be considered evidence bearing on a  
22 contractor's qualification for award of future contracts.

23 NEW SECTION. Sec. 4. Sections 1 through 3 of this act are each  
24 added to chapter 39.04 RCW.

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