

CERTIFICATION OF ENROLLMENT

ENGROSSED SECOND SUBSTITUTE SENATE BILL 6480

Chapter 321, Laws of 2006

59th Legislature
2006 Regular Session

PUBLIC WORKS PROJECTS--APPRENTICESHIP REQUIREMENTS

EFFECTIVE DATE: 6/7/06

Passed by the Senate February 11, 2006
YEAS 30 NAYS 11

BRAD OWEN

President of the Senate

Passed by the House March 1, 2006
YEAS 71 NAYS 27

FRANK CHOPP

Speaker of the House of Representatives

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **ENGROSSED SECOND SUBSTITUTE SENATE BILL 6480** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

Secretary

Approved March 29, 2006.

FILED

March 29, 2006 - 4:30 p.m.

CHRISTINE GREGOIRE

Governor of the State of Washington

**Secretary of State
State of Washington**

ENGROSSED SECOND SUBSTITUTE SENATE BILL 6480

Passed Legislature - 2006 Regular Session

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 five 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 three 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 two 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) The secretary of the department of transportation shall adjust
10 the requirements of this section for a specific project for the
11 following reasons:

12 (a) The demonstrated lack of availability of apprentices in
13 specific geographic areas; or

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

17 (4) This section applies only to public works contracts awarded by
18 the state. However, this section does not apply to contracts awarded
19 by state four-year institutions of higher education(~~(7)~~) or state
20 agencies headed by a separately elected public official(~~(7 or the~~
21 ~~department of transportation)~~).

22 (~~(4)~~) (5)(a) The department of general administration must
23 provide information and technical assistance to affected agencies and
24 collect the following data from affected agencies for each project
25 covered by this section:

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

27 (ii) The name of each project;

28 (iii) The dollar value of each project;

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

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

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

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

36 (b) The department of labor and industries shall assist the
37 department of general administration in providing information and
38 technical assistance.

1 ~~((+5))~~ (6) The secretary of transportation shall establish an
2 apprenticeship utilization advisory committee, which shall include
3 statewide geographic representation and consist of equal numbers of
4 representatives of contractors and labor. The committee must include
5 at least one member representing contractor businesses with less than
6 thirty-five employees. The advisory committee shall meet regularly
7 with the secretary of transportation to discuss implementation of this
8 section by the department of transportation, including development of
9 the process to be used to adjust the requirements of this section for
10 a specific project. The committee shall provide a report to the
11 legislature by January 1, 2008, on the effects of the apprentice labor
12 requirement on transportation projects and on the availability of
13 apprentice labor and programs statewide.

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

23 NEW SECTION. Sec. 3. A new section is added to chapter 39.04 RCW
24 to read as follows:

25 The Washington state apprenticeship and training council shall lead
26 and coordinate an outreach effort to educate returning veterans about
27 apprenticeship and career opportunities in the construction industry.
28 The outreach effort shall include information about the "helmets to
29 hardhats" program and other paths for making the transition from
30 military service to the construction work force. The outreach effort
31 shall be developed and coordinated with apprenticeship programs, other
32 state agencies involved in work force training, and representatives of
33 contractors and labor.

Passed by the Senate February 11, 2006.

Passed by the House March 1, 2006.

Approved by the Governor March 29, 2006.

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