
HOUSE BILL 1737

State of Washington

69th Legislature

2025 Regular Session

By Representatives Schmidt, Paul, Timmons, Griffey, Klicker, Volz, Low, Rule, Shavers, Kloba, Reed, Zahn, Nance, and Pollet

Read first time 01/30/25. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to affording federally approved apprenticeship
2 programs operated by tribal governments the same rights and
3 responsibilities as other apprenticeship programs in the skilled and
4 trained workforce standards for high hazard facilities; amending RCW
5 49.80.010, 49.80.020, and 49.80.030; and creating a new section.

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

7 NEW SECTION. **Sec. 1.** The legislature recognizes the sovereignty
8 of federally recognized tribal governments and the essential role
9 their apprenticeship programs play in the development of a skilled
10 and trained workforce, particularly in rural and underrepresented
11 communities. Tribal apprenticeship programs ensure tribal members
12 have equitable access to employment and training opportunities in
13 critical industries, including in the building and construction
14 trades at petroleum refineries and in petrochemical manufacturing.
15 The legislature intends for apprenticeship programs operated by
16 federally recognized tribal governments to have the same rights and
17 responsibilities as other approved programs that supply workers to
18 these critical industries, so long as those programs have completed
19 the federal approval process for apprenticeship programs.

1 **Sec. 2.** RCW 49.80.010 and 2019 c 306 s 1 are each amended to
2 read as follows:

3 The definitions in this section apply throughout this chapter
4 unless the context clearly requires otherwise.

5 (1) "Apprenticeable occupation" means an occupation for which an
6 apprenticeship program has been approved by the Washington state
7 apprenticeship and training council pursuant to chapter 49.04 RCW.

8 (2) "Department" means the department of labor and industries.

9 (3) "On-site work" does not include ship and rail car support
10 activities; environmental inspection and testing; security guard
11 services; work which is performed by an original equipment
12 manufacturer for warranty, repair, or maintenance on the vendor's
13 equipment if required by the original equipment manufacturer's
14 warranty agreement between the original equipment manufacturer and
15 the owner; industrial cleaning not related to construction; safety
16 services requiring professional safety certification; nonconstruction
17 catalyst loading, regeneration, and removal; chemical purging and
18 cleaning; refinery by-product separation and recovery; inspection
19 services not related to construction; and work performed that is not
20 in an apprenticeable occupation.

21 (4) "Prevailing hourly wage rate" has the meaning provided for
22 "prevailing rate of wage" in RCW 39.12.010.

23 (5) "Registered apprentice" means an apprentice registered in
24 ~~((an))~~: (a) An apprenticeship program approved by the Washington
25 state apprenticeship and training council according to chapter 49.04
26 RCW; or (b) an apprenticeship program approved by the federal
27 government and operated by a federally recognized tribal government.

28 (6) "Skilled and trained workforce" means a workforce that meets
29 both of the following criteria:

30 (a) All the workers are either registered apprentices or skilled
31 journeypersons; and

32 (b) The workforce meets the apprenticeship graduation and
33 approved advanced safety training requirements established in RCW
34 49.80.030.

35 (7) "Skilled journeyperson" means a worker who meets all of the
36 following criteria:

37 (a) The worker either ~~((graduated))~~: (i) Graduated from an
38 apprenticeship program for the applicable occupation that was
39 ~~((approved))~~: (A) Approved by the Washington state apprenticeship and
40 training council according to chapter 49.04 RCW~~((7))~~; or (B) approved

1 by the federal government and was operated by a federally recognized
2 tribal government; or (ii) has at least as many hours of on-the-job
3 experience in the applicable occupation that would be required to
4 graduate from an apprenticeship program approved by the Washington
5 state apprenticeship and training council according to chapter 49.04
6 RCW; and

7 (b) The worker is being paid at least a rate commensurate with
8 the wages typically paid for the occupation in the applicable
9 geographic area, subject to the following provisions:

10 (i) The prevailing wage rate paid for a worker in the applicable
11 occupation and geographic area on public works projects may be used
12 to determine the appropriate rate of pay, however, this subsection
13 (7)(b) does not require a contractor to pay prevailing wage rates;
14 and

15 (ii) In no case may the worker be paid at a rate less than an
16 hourly rate consistent with the seventy-fifth percentile in the
17 applicable occupation and geographic area in the most recent
18 occupational employment statistics published by the employment
19 security department.

20 **Sec. 3.** RCW 49.80.020 and 2019 c 306 s 2 are each amended to
21 read as follows:

22 (1) An owner or operator of a stationary source that is engaged
23 in activities described in code 324110 or 325110 of the North
24 American industry classification system, when contracting for the
25 performance of construction, alteration, demolition, installation,
26 repair, or maintenance work at the stationary source, shall require
27 that its contractors and any subcontractors use a skilled and trained
28 workforce to perform all on-site work within an apprenticeable
29 occupation in the building and construction trades. This section
30 shall not apply to oil and gas extraction operations.

31 (2)(a) The department in consultation with the Washington state
32 apprenticeship and training council shall approve a curriculum of in-
33 person classroom and laboratory instruction for approved advanced
34 safety training for workers at high hazard facilities.

35 (b) The safety training must be provided by a training
36 provider(~~(, which may include a registered apprenticeship program,~~)
37 approved by the department, which may include but is not limited to a
38 state approved apprenticeship program or federally approved and
39 tribal-operated apprenticeship program. The department must

1 periodically review and revise the curriculum to reflect current best
2 practices.

3 (c) Upon receipt of certification from the approved training
4 provider, the department must issue a certificate to a worker who
5 completes the approved curriculum.

6 (d) The department may accept a certificate or other
7 documentation issued by another state or tribal government if the
8 department finds that the curriculum and documentation of the other
9 state or tribal government meets the requirements of this subsection.

10 (3) This section applies to work performed under contracts
11 awarded, contract extensions, and contract renewals occurring on or
12 after January 1, 2020. This section shall also apply to work
13 performed under a contract awarded before January 1, 2020, if the
14 work is performed more than one year after January 1, 2020.

15 (4) This section does not apply to:

16 (a) The employees of the owner or operator of the stationary
17 source, nor does it prevent the owner or operator of the stationary
18 source from using its own employees to perform any work that has not
19 been assigned to contractors while the employees of the contractor
20 are present and working;

21 (b) A contractor who has requested qualified workers from the
22 local hiring halls or apprenticeship programs that dispatch workers
23 in the apprenticeable occupation and who, due to workforce shortages,
24 is unable to obtain sufficient qualified workers within forty-eight
25 hours of the request, Saturdays, Sundays, and holidays excepted; and

26 (c) Emergencies that make compliance impracticable because they
27 require immediate action to prevent harm to public health or safety
28 or to the environment. This section applies as soon as the emergency
29 is over or it becomes practicable for contractors to obtain a
30 qualified workforce.

31 (5) The requirements under subsection (1) of this section apply
32 to each individual contractor's and subcontractor's on-site
33 workforce.

34 (6) The requirements of this section do not make the work
35 described in subsection (1) of this section a public work within the
36 meaning of RCW 39.04.010.

37 **Sec. 4.** RCW 49.80.030 and 2019 c 306 s 3 are each amended to
38 read as follows:

1 The following implementation schedule must be complied with to
2 meet the requirements of RCW 49.80.020 for a skilled and trained
3 workforce to perform all on-site work within an apprenticeable
4 occupation in the building and construction trades:

5 ~~(1) ((a) By January 1, 2021, at least twenty percent of the~~
6 ~~skilled journeypersons must be graduates of an apprenticeship program~~
7 ~~for the applicable occupation approved by the Washington state~~
8 ~~apprenticeship and training council under chapter 49.04 RCW;~~

9 ~~(b) By January 1, 2022, at least thirty-five percent of the~~
10 ~~skilled journeypersons must be graduates of an apprenticeship program~~
11 ~~for the applicable occupation approved by the Washington state~~
12 ~~apprenticeship and training council under chapter 49.04 RCW;~~

13 ~~(c) By January 1, 2023, at least forty-five percent of the~~
14 ~~skilled journeypersons must be graduates of an apprenticeship program~~
15 ~~for the applicable occupation approved by the Washington state~~
16 ~~apprenticeship and training council according to chapter 49.04 RCW;~~
17 and

18 ~~(d) By January 1, 2024, at))~~ At least sixty percent of the
19 skilled journeypersons must be graduates of ~~((an))~~ either: (a) An
20 apprenticeship program for the applicable occupation approved by the
21 Washington state apprenticeship and training council according to
22 chapter 49.04 RCW; or (b) a tribal-operated apprenticeship program
23 for the applicable occupation approved by the federal government; and

24 (2) ~~((By January 1, 2022, all))~~ All workers in the skilled and
25 trained workforce must have completed within the past three calendar
26 years at least twenty hours of approved advanced safety training for
27 workers at high hazard facilities.

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