

**WAC 296-71-010 Skilled and trained workforce requirements. (1)**

Owners and operators, when contracting for the performance of construction, alteration, demolition, installation, repair or maintenance work at the stationary source, must require that its contractors and any subcontractors use a skilled and trained workforce to perform all on-site work within an apprenticeable occupation in the building and construction trades, and that work is done within the worker's specific occupation or craft. This includes:

(a) The percentages of skilled journeypersons who are graduates of an apprenticeship program for the applicable occupation approved by the Washington state apprenticeship and training council under chapter 49.04 RCW meet the requirements under RCW 49.80.030;

(b) Six months after the effective date of this chapter, all workers in the skilled and trained workforce must have completed at least 20 hours of approved advanced safety training for workers at high hazard facilities within the past three calendar years.

(c) The skilled and trained workforce requirements under this section apply to each individual contractor's and subcontractor's on-site workforce.

(2) The owner/operator must have documentation showing that the skilled and trained workforce requirements are met. This documentation must be provided to the department upon request.

(3) This section does not apply to:

(a) The employees of the owner or operator of the stationary source;

(b) A contractor who has requested qualified workers from the local hiring halls or apprenticeship programs that dispatch workers in the apprenticeable occupation and who, due to workforce shortages, is unable to obtain sufficient qualified workers within two working days of the request; and

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

Note: This section does not prevent the owner or operator of the stationary source from using its own employees to perform any work that has not been assigned to contractors while the employees of the contractor are present and working.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, 49.80.060, and chapter 49.80 RCW. WSR 22-19-101, § 296-71-010, filed 9/21/22, effective 10/22/22.]