

HOUSE BILL NO. HB0098

Apprenticeship programs.

Sponsored by: Representative(s) Hastert, Martin, Parady,
Reese and Thompson and Senator(s) Caller,
Job and Massie

A BILL

for

1 AN ACT relating to public works projects; requiring the use
2 of apprentices on public works projects as specified; and
3 providing for an effective date.

4

5 *Be It Enacted by the Legislature of the State of Wyoming:*

6

7 **Section 1.** W.S. 16-6-901 and 16-6-902 are created to
8 read:

9

10

ARTICLE 9

11

USE OF APPRENTICESHIP PROGRAMS ON PUBLIC WORKS PROJECTS

12

13 **16-6-901. Definitions.**

14

15 (a) As used in this act, unless the context clearly
16 requires otherwise:

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2 (i) "Apprentice" means an apprentice enrolled in
3 an apprenticeship training program;

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5 (ii) "Apprentice utilization requirement" means
6 the requirement that the appropriate percentage of labor
7 hours be performed by apprentices;

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9 (iii) "Labor hours" means the total hours of
10 workers receiving an hourly wage who are directly employed
11 on the site of the public works project. "Labor hours"
12 includes hours worked by persons employed by the contractor
13 and all subcontractors working on the project. "Labor
14 hours" does not include hours worked by foremen,
15 superintendents and owners;

16

17 (iv) "Approved apprenticeship training program"
18 means an apprenticeship training program approved by the
19 bureau of apprenticeship and training, United States
20 department of labor;

21

22 (v) "Department" means the department of
23 workforce services.

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1 **16-6-902. Apprentices to be used on public works**
2 **projects; waiver; report.**

3

4 (a) For all public works awarded by the state, the
5 University of Wyoming, a community college or a school
6 district pursuant to W.S. 16-6-101 through 16-6-206
7 estimated to cost one million dollars (\$1,000,000.00) or
8 more, all specifications shall require that not less than
9 ten percent (10%) of the labor hours worked by apprentices.
10 This subsection shall not apply to those state agencies
11 that have a recognized or approved apprenticeship training
12 program requirement by the United State department of labor
13 or other appropriate federally funded program.

14

15 (b) The department may grant a waiver of the
16 requirements of this section for a specific project if a
17 bidder demonstrates one (1) or more of the following
18 reasons:

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20 (i) The lack of availability of apprentices in
21 the area where the project is to be performed;

22

1 (ii) A disproportionately high ratio of material
2 costs to labor hours, which does not make feasible the
3 required minimum levels of apprentice participation;

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5 (iii) The participating contractors have
6 demonstrated a good faith effort to comply with the
7 requirements of this act and have been unable to do so; or

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9 (iv) Other criteria the department deems
10 appropriate.

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12 (c) A contractor shall make reasonable efforts to
13 comply with the apprentice utilization requirements in this
14 section so that the appropriate percentage of labor hours
15 in each separate craft or trade is performed by apprentices
16 in that craft or trade.

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18 (d) The department shall promulgate rules and
19 regulations to implement the provisions of this section.

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21 (e) The department shall provide necessary assistance
22 to an agency awarding a contract subject to the provisions
23 of this section. The department shall collect the following

1 data from each affected contractor for each project covered
2 by this section:

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4 (i) The number of apprentices and labor hours
5 worked by them, categorized by trade or craft;

6

7 (ii) The number, type and rationale for the
8 exceptions granted under subsection (b) of this section.

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10 (f) On January 1 of each year, the department shall
11 compile and summarize the collected data in subsection (e)
12 of this section and provide a report to the governor, the
13 joint labor, health and social services interim committee
14 and the joint education interim committee. The report shall
15 include any recommendations for modifications or
16 improvements to the apprentice utilization program.

17

18 **Section 2.** This act is effective July 1, 2004.

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20

(END)