

WSDOT Apprenticeship 101

Information You Need to Understand and Comply with
State Apprenticeship Requirements



Why Apprenticeship?

It's the Law

- During the 2005 Legislative Session, a **law was passed** requiring public works contracts to utilize apprentice labor
- **The apprentices must be enrolled in a program approved by the Washington State Apprenticeship and Training Council (WSATC)**
- The goal is to ensure that Washington maintains a skilled workforce in the construction trades



How is WSDOT Phasing In the Requirement?

Apprenticeship requirements were phased in during a two year period. This period ended in June 2009 and requirements are now fully phased-in. Each contract estimated to cost \$2 million or more requires that 15% of labor hours be worked by apprentices.

Advertisement Date	Engineers' Estimate	Apprentice Labor Requirement
July 1, 2007 – June 30, 2008	\$5 M or greater	No less than 10%
July 1, 2008 – June 30, 2009	\$3 M or greater	No less than 12%
From July 1, 2009 – Forward	\$2 M or greater	No less than 15%



CURRENT

What Does This Mean for WSDOT Contractors?

- **If you are awarded a contract estimated to cost \$2 million or more, the contract will require you to use apprentice labor.**
- To comply with the requirement, you'll need to utilize apprenticeship programs **approved by the Washington State Apprenticeship and Training Council.**
- Fifteen percent of the total labor hours on the contract will be performed by apprentices.
- **The prime contractor is responsible for ensuring the overall requirement is met.** The prime and subcontractors are both obligated to meet the requirement. While both may utilize apprentices, the prime contractor is responsible for ensuring the requirement is met and compiling plans and reports.
- In addition to a plan, prime contractors must submit a **monthly report accounting for all hours including subcontractors.**

How Big is the Program?



- By March 2010, 122 contracts contained the apprentice requirement.
- About half of WSDOT contracts will contain the requirement.
- The program is bigger than the federal training program and you may have both requirements in the same contract.
- To accomplish the apprenticeship requirement you must utilize state approved apprenticeship programs.

Understanding WSDOT Apprenticeship Specifications

•There are five elements to the apprenticeship specification (1-07.28). You'll have a chance to look at each of these in detail in the following slides. The five elements are:

- Definitions
- Plan
- Monthly Reports
- Compliance
- Good Faith Efforts

Understanding WSDOT Apprenticeship Specifications

Definitions

- **Apprentice:** An individual who is employed to learn an occupation subject to apprenticeship and is registered with a sponsor in an approved apprenticeship program.
- **Approved apprenticeship program:** An apprenticeship program approved by the Washington State Apprenticeship and Training Council.
- **Labor hours:** The total hours of workers receiving an hourly wage who are directly employed on the project site.
- Labor hours include hours performed by workers employed by the contractor and all subcontractors employed on the project site.
- Labor hours do not include hours worked by engineers, superintendents, owners, and others provided they are not subject to prevailing wage requirements.

Understanding WSDOT Apprenticeship Specifications

Apprenticeship Utilization Plan

Within 30 days of execution, you must submit a plan showing how you expect to achieve the apprenticeship requirement. Here is what WSDOT is looking for in the plan:

- Plan provides for the prime contractor and all subcontractors to the best of your knowledge within 30 days of execution.
- Estimated hours and work times are reasonable within the scope of the work.
- The plan demonstrates that you intend to meet or exceed the requirement.
- The plan shall be revised as more information becomes available or changes are experienced in such things as subcontractors, apprentice availability or the project schedule.

Sample Plan

Contract Title NE 10th Street - Bridge Crossing			Contract Number 7417	Today's Date 9/23/2008		
Prime Contractor Max J. Kunej Company			Apprentice Utilization Requirement 10%			
*Include labor hours and count for all trades, including those performed by Subcontractors. Use continuation sheet if needed.						
				Estimated		
Start Date (mm/dd/yy)	Contractor or Subcontractor	Trade / Craft*	Trade/Craft Other Description	Total Labor (hours)	Apprentice (hours)	
02/01/08	Max J. Kunej Company	Carpenter		21,240.00	2,124.00	
02/01/08	Max J. Kunej Company	Laborer		16,520.00	2,478.00	
02/11/08	Max J. Kunej Company	Operator		7,080.00	708.00	
05/01/08	Max J. Kunej Company	Cement Mason		2,360.00	236.00	
02/01/08	KLB Construction	Operator		3,500.00	350.00	
02/01/08	KLB Construction	Laborer		3,500.00	350.00	
02/01/08	R.W. Rhine	Operator		400.00	70.00	
02/01/08	R.W. Rhine	Laborer		125.00	-	
02/01/08	R.W. Rhine	Teamster		200.00	-	
08/01/08	John-Wayne Construction	Carpenter		841.00	85.00	
08/01/08	John-Wayne Construction	Cement Mason		1,583.00	200.00	
08/01/08	John-Wayne Construction	Laborer		418.00	-	
08/01/08	John-Wayne Construction	Operator		80.00	-	
09/30/08	Jobsite Stud Welding	Ironworker		64.00	30.00	
08/20/08	PR Systems, Inc.			-	-	
10/01/08	Schneider Up	Ironworker		1,300.00	200.00	
04/07/08	Petersen Brothers, Inc.	Laborer		220.00	22.00	
04/07/08	Petersen Brothers, Inc.	Operator		40.00	-	
03/12/08	Elcon Corporation	Electricians		4,600.00	920.00	
04/01/09	Elcon Corporation	Comm. Technicians		400.00	-	
Comments (Other)				Subtotal this page	64,471.00	7,773.00
Revision #4				Continuation Sheet		
12.06%				Grand Total	64,471.00	7,773.00
Completed By Valerie K. Whitman				Email valerie@maxkunej.com		
Title Loss Control / EEO Manager				Phone 509-535-0651		

**LISTS ALL
SUBCONTRACTORS**

**LISTS ALL
OCCUPATIONS**

**SHOWS START
DATES**

**REVISED WHEN
NECESSARY**

**MEETS OR
EXCEEDS REQ.**

RECEIVED
OCT 02 2008

Understanding WSDOT Apprenticeship Specifications

Monthly Attainment Reporting

By the last working day of the subsequent month, you must submit a report showing the previous month's utilization. Here is what WSDOT is looking for in the report:

- Report shows all hours worked by the prime and all subcontractors.
- Report is complete with each apprentice's name, six-digit L&I registration number, occupation and hours worked. Indicate if the apprentice is female or minority.
- Report is complete with hours for each journey-level and apprentice worker by occupation and total hours worked.
- Revised monthly reports are sent in when original report was incomplete or changes are necessary.
- Notes section lists any information that should be noted (changes, etc.)

Sample Report

**CONTRACT DATA FILLED
OUT COMPLETELY**

**LISTS EACH NAME,
TRADE & NUMBER**

**FEMALE/MINORITY
STATUS CHECKED**

**INCLUDES ALL HOURS,
PRIME AND SUB**

Contract Number 7417		Name of Project NE 10th St. Bridge Overcrossing				
Location of Project County King		Nearest City Bellevue		Execution Date 12/17/2007		
Firm Name Max J. Kunej Company			Contract Award Amount \$13,866,639.00			
Prepared By Valerie Whitman			Phone Number 509-535-0651			
Reporting Period		Beginning Date 10/1/2008		Ending Date 10/31/2008		
				Required Apprenticeship Percentage 10%		
Apprentice Summary						
Apprentice Name	Female	Minority	Craft or Trade	Registration Number	Name of Contractor or Sub-Contractor	Hours Worked
MONTHAKARN ARUNDJIT		X	Carpenter	A# 127459	Max J. Kunej Company	101.5
HUMBERTO ANGUIANO		X	Carpenter	A147150	Max J. Kunej Company	30
RACHEL L GOERING	X		Operator	A # 153554	Max J. Kunej Company	32
DAVID R LAMADRID			Laborer	A # 160276	Max J. Kunej Company	11.5
BENJAMIN C MOORE			Laborer	A # 159957	Max J. Kunej Company	2
Kenneth Wolf			Laborer	159765	KLB Construction	21.5
Christopher Brady			Ironw	151617	Rainier Steel	5.5
Nick Munson				151224	Rainier Steel	8.5
Total Female and Minority Apprentice		1	2	Total # Apprentice & Hours		8 212.5

**SIX DIGIT L&I
REGISTRATION #**

(PAGE 1)

Understanding WSDOT Apprenticeship Specifications

Good Faith Efforts

If you can't meet the requirement, you are required to submit good faith effort documentation. Tell WSDOT why you couldn't meet the requirement and show the efforts you made trying. Here is what WSDOT's good faith effort looks like:

- Document your contacting of Labor & Industries (L & I) to see if an apprenticeship program is available for your area and occupation (This could be e-mail or even a print of no results in the APPRENTICE REGISTRATION & TRACKING SYSTEM or ARTS on L&I's website). Note: Search for "programs by county" to get a complete listing by occupation for programs available in a given area.
- Document your solicitation of the available state-approved apprenticeship programs.
- Request and receive documentation from them that apprentices are not available.
- Conflicting regulatory requirements that impact a contractor's ability to achieve their requirement such as TERO requirements may be part of a contractor's good faith efforts.
- Update the apprenticeship plan you submitted.
- Provide the above documentation demonstrating the same efforts were performed by subcontractors.

Complying with Apprenticeship Requirements

The Easiest Way to Start Training Registered Apprentices: Join an existing program!

The easiest way to comply with an AUR is to become what is referred to as a “training agent” employer participating in an existing, approved State Apprenticeship Program. This process can be relatively quick but relies solely on the program sponsor and interested business to carry it through. To join an existing program:

First identify the occupations for which you have the capability and desire to train. Use L & I’s [Apprenticeship Registration and Tracking System \(ARTS\)](#) to run a “Report” for “[Program by County](#)” for the location of the project. In addition to selecting the county, select ‘*construction and extraction occupations*’ for the ‘SOC Category’ (this eliminates other than construction occupations). The resulting report lists apprenticeship program sponsors in alphabetical order by occupation for the county selected. Click on “*View*” for the program you wish to contact. Call or email the contact person listed for information on program participation.

For any program you may be interested in, study the “Standards of Apprenticeship” document carefully and then sign a “*training agent agreement*” form with the program sponsor. Program sponsors may require fees for participation to cover administrative and training costs.

We’ll walk you through this in the next slide.

Complying with Apprenticeship Requirements

Finding Apprenticeship Programs

- If you are just starting out, you can locate apprenticeship programs in your area and occupation by looking in L&I's Apprenticeship Registration and Tracking System

<https://fortress.wa.gov/lni/arts/Index.aspx>

The screenshot shows a web browser window displaying the Washington State Department of Labor & Industries website. The browser's address bar shows the URL <https://fortress.wa.gov/lni/arts/Index.aspx>. The website header includes the department's name and navigation links such as "Information in Spanish", "Topic Index", and "Contact Info". A search bar is also present. Below the header, there are several menu items: "Home", "Safety", "Claims & Insurance", "Workplace Rights", and "Trades & Licensing". The main content area features a breadcrumb trail: "Home Apprenticeship > Program > Occupation > Training Agent > Employer > Contact Us". The title of the page is "Welcome to Apprentice Registration and Tracking System(ARTS)". A red circle highlights two links: "Find an apprenticeship program by county" and "Find an apprenticeship program by occupation". Other visible links include "Find a Law (RCW) or Rule (WAC)", "Get a form or publication", and "Help".

Complying with Apprenticeship Requirements

Contacting Apprenticeship Programs

- After you have found programs in your area in the craft/s or trade/s you are using, contact the programs to see if they are accepting apprentices or if they have apprentices available for hire.
- If the programs do not have apprentices available, document that fact and go back to L&I's website to see if there are other programs available for the craft or trade or if programs are available for a different craft or trade.
- If you can't find a program, print your result of no programs and try another craft or trade.
- Include the apprenticeship requirement in your subcontract, and obtain documentation of subcontractors' efforts.

Complying with Apprenticeship Requirements

If All Else Fails...

- You need a **documented good faith effort** if you cannot/do not achieve the requirement, other actions may further support the effort. WSDOT may consider the following:
 1. Successful apprenticeship utilization on previous contracts*
 2. Company-wide apprenticeship utilization efforts and percentages of attainment*

***For the agency to consider these efforts, you must first document you have taken the first four steps of the good faith effort in WSDOT's spec.**

APPRENTICESHIP QUESTIONS & ANSWERS

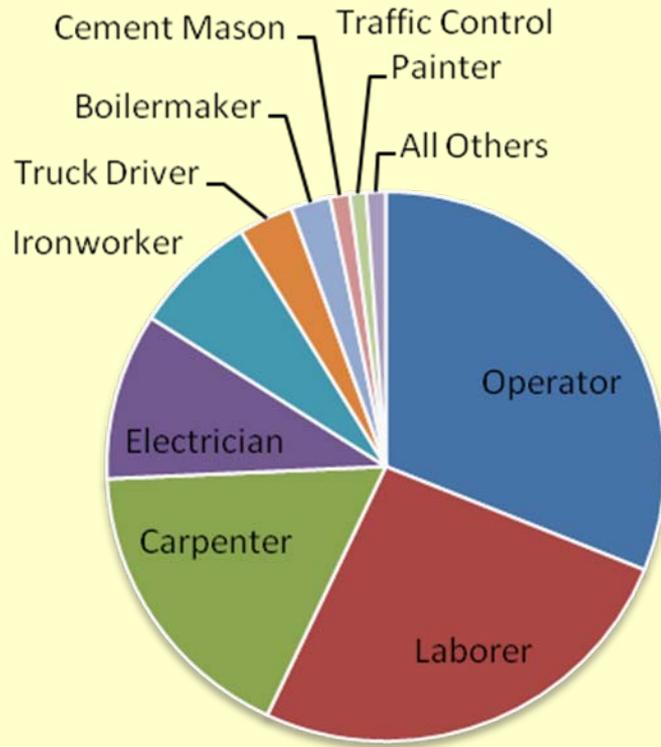


The following are answers to questions most frequently asked by contractors

Which Trades are Used Most?

To date, 17 different trades have utilized apprentice labor on WSDOT contracts. As you can see, programs are available for most of the crafts or trades used on typical projects.

Apprentice Hours by Occupation



Occupation	Apprentice Hours
Operator	122,980
Laborer	102,147
Carpenter	68,285
Electrician	38,759
Ironworker	28,526
Truck Driver	12,561
Boilermaker	9,082
Cement Mason	4,476
Traffic Control Painter	3,742
All Others	4,442
All Trades	395,000

Data as of March 2010

How is This Different from Federal Goals?

Federal Training Goals specify a number of hours to be performed by female or minority trainees only on selected federally funded projects. State Apprenticeship Requirements specify a percentage of total labor hours to be performed by state approved apprentices.

State-Approved Apprentices do not have to be female or minority to meet the state apprenticeship requirement (though programs are required to have certain amounts of female and minority participation).

Federal Trainees do not have to be enrolled in a program approved by the Washington State Apprenticeship and Training Council (though most are).

SO THIS MEANS: Approved Federal Trainees will meet the state apprenticeship requirement if they are in an WSATC approved apprenticeship program. Approved Federal Trainees will not meet the apprenticeship requirement if they are in a national or employer program.

Some Federally-funded contracts will have both requirements to meet. They can be met for both requirements at the same time if you are using female or minority apprentices enrolled in programs approved by the WSATC.

I Have an Existing Approved Federal Training Employer Program, Does This Meet Apprenticeship Requirements?

If your trainees are enrolled in an apprenticeship program approved by the Washington State Apprenticeship and Training Council they will meet state apprenticeship requirements. If the trainees are not enrolled in a State-Approved Apprenticeship program, find a program for the craft or trade and enroll them. This way, the same employees will meet both goals.

If you or a subcontractor does not know if a trainee is enrolled in a State-Approved Program, ask the individual to produce his/her state apprentice registration card for confirmation. All state registered apprentices are issued the following credential (front & back):

Washington State Apprenticeship and Training C

Program Sponsor:

W WA PAINTING, DECORATING & DRYWALL

Apprentice/OJT name:

JANE DOE

Registration No:

162990

Specific trade objective:

PAINTER AND DECORATOR

Apprentice/OJT signature:

You must be prepared to show this card to a Dept. of Labor & Industries inspector. You cannot allow anyone else to use this card. You may be asked to provide a second piece of identification.

You must notify your apprenticeship program office of any address change, who will then notify the Dept. of Labor and Industries Apprenticeship Section.

This apprenticeship registration certificate indicates that the holder is enrolled in a registered apprenticeship program regulated under RCW 49.04

State Apprenticeship Requirements require many more hours to be performed by apprentices than Federal Training Goals on the same contracts. The State program is much larger than the Federal Program.

Apprenticeship Utilization

**395,000 Hours Worked by Apprentices
on Contracts**

**Federal Training
27,000 Hours Set on
Same Contracts**

Data as of March 2010

Is There a Cost to the Program?

Yes. There is a cost to enrolling a trainee in a State-Approved Apprenticeship Program. Think of it as their tuition. This fee covers the costs of operating the Apprentice Program. Check with program contacts for exact costs as fees vary.

There is also a cost benefit as apprentices are generally paid less than the prevailing wage.

I'm an Open-Shop Contractor. How Can I Meet the Requirement?

If you have looked for available State-Approved Apprenticeship Programs, you have probably noticed that there are more programs sponsored by unions than by other entities. That's okay. All WSATC approved programs are open (e.g., one cannot be compelled to sign a collective bargaining agreement or join an association as a condition of becoming a training agent under an approved set of apprenticeship program standards.)

You will likely pay a fee for participation similar to the fee you would pay to a program sponsored by another entity. There are plenty of opportunities for you.

I Have Apprentices Working in a Plant, Pit, Fabrication Facility, or Office Can I Include Those Hours on the Monthly Report?

No, do not include hours worked by employees that are not directly employed on the job site. The law specifies that hours must be worked by employees on the site. Refer to WSDOT's Specification:

“Labor hours: The total hours of workers receiving an hourly wage who are directly employed on the project site.”

“Labor hours include hours performed by workers employed by the contractor and all subcontractors employed on the project site.”

“Labor hours do not include hours worked by engineers, superintendents, owners, and others provided they are not subject to prevailing wage requirements.”

I Have a Contract With Apprenticeship Requirements and I Can't Meet the Requirement But the Reason is Different than My Good Faith Effort. What Can I Do?

WSDOT understands that this program is new and that some issues may come up that are not taken into account in WSDOT's current good faith effort.

When these issues come up, we need to know about them so we can consider changes to the good faith effort language or other criteria for adjusting the requirement and policies. Fill out form 422-120 and fully explain the issue encountered in the remarks section. Be sure to attach documentation of the issues described.

I'm a Prime Contractor and I'm Having Trouble Getting Subcontractors to Utilize Apprentices. What Can I Do?

First, include the requirement in your subcontracts.

Require the subcontractors to fill out an Apprenticeship Utilization Plan.

Require subcontractors to document their good faith efforts.

Provide subcontractors with a way to report their monthly data to you and set a deadline for when this is due each month.

If subcontractors cannot utilize apprentices, you may need to add more apprentice labor to your workforce.

I Don't Want to Utilize an Existing State-Approved Training Program, Can I Create My Own?

If you are interesting in starting your own apprenticeship program, more information can be found on L&I's website. We recommend doing this in advance of your apprenticeship contract, or utilizing existing programs until your program has been approved as it can take a while to get a new program approved and off the ground.

For more information about starting your own apprenticeship program, contact the L&I regional Apprenticeship Consultant in your area. See the next slide for contact information.

L & I Regional Apprenticeship Consultants

- **Island County, San Juan County, Skagit County, Snohomish County, Whatcom County**
Everett Office: (425) 290-1321
- **King County**
Seattle Office: (206) 515-2842
Tukwila Office: (206) 835-1028
- **Clallam County, Jefferson County, Kitsap County, Pierce County**
Tacoma Office: (253) 596-3930
- **Grays Harbor County, Lewis County, Mason County, Pacific County, Thurston County**
Tumwater Office: (360) 902-5320
- **Clark County, Cowlitz County, Klickitat County, Skamania County, Wahkiakum County**
Longview Office: (360) 575-6927
- **Benton County, Chelan County, Columbia County, Douglas County, Franklin County, Grant County, Kittitas County, Okanogan County, Yakima County, Walla Walla County**
Kennewick Office: (509) 735-0119
- **Adams County, Asotin County, Ferry County, Garfield County, Lincoln County, Pend Oreille County, Stevens County, Spokane County, Whitman County**
Spokane Office: (509) 324-2590

How Do I find out More About Apprentice Programs?

For more information, visit:

<http://www.lni.wa.gov/TradesLicensing/Apprenticeship/default.asp>

To look up existing programs, visit:

<https://fortress.wa.gov/lni/arts/ExternalReports/ProgramsByCountyReport.aspx>

(you can input your county for a full listing of programs)

For more information to help you learn about existing programs or start your own, see:

<http://www.lni.wa.gov/TradesLicensing/Apprenticeship/files/pubs/aurdescription.pdf>

For information regarding WSDOT's apprenticeship utilization visit:

<http://www.wsdot.wa.gov/biz/construction/Apprenticeship.cfm>

What If I Still Have Questions?

Email WSDOT: Appenticeship@WSDOT.WA.GOV

Email L&I: Apprentice@LNI.WA.GOV