

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



What are the New Requirements?

Apprenticeship requirements have been based on a \$2 million estimate since the program inception in 2009. The 2015 Legislative Session introduced a temporary change in this requirement, increasing the threshold to \$3 million estimates or greater through June 30, 2020.

Advertisement Date	Engineers' Estimate	Apprentice Labor Requirement
July 1, 2009 – June 30, 2015	\$2 M or greater	No less than 15%
July 1, 2015 – June 30, 2020	\$3 M or greater	No less than 15%
From July 1, 2020 – Forward	\$2 M or greater	No less than 15%



CURRENT

What Does This Mean for WSDOT Contractors?

- **After June 30, 2015, If you are awarded a contract estimated to cost \$3 million or more, the contract will require 15% apprentice labor.**
- **To comply with the requirement, you'll need to utilize apprenticeship programs approved by the Washington State Apprenticeship and Training Council.**
- **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?



- Since the program inception in 2009, there have been 284 completed projects.
- Nearly 3,000,000 hours of project work can be attributed to apprentice labor.
- 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 employed upon the project.
- Labor hours include hours performed by workers employed by the contractor and all subcontractors employed upon the project.
- 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

Lists all Subcontractors

Meets or Exceeds Requirement

Lists all Occupations

Shows Start Date



Apprentice Utilization Plan

To be submitted no later than thirty (30) days following execution.

Contract Title Sr512 Jct I-5 To Ne Of 104th Paving		Contract Number 008455	Report Submit Date	
Prime Contractor Tucci & Sons, Inc.		Apprentice Utilization Requirement 15 %		
Comments				
* Include labor hours and count for all trades, including those performed by Subcontractors.				
Start Date	Contractor or Subcontractor	Occupation	Estimated	
			Total Hours	Apprentice Hours
			4957	744
Apprentice Utilization 15 %		Grand Total	4957	744
Completed By			Email	
Title			Phone	

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 008465	Name of Project Sr512 Jct I-5 To Ne Of 104th Paving	Execution Date 5/28/2013
County	Nearest City Tacoma	Contract Award Amount \$2,779,289.70
Firm Name Tucci & Sons, Inc.	Phone Number 253-922-6876	Current Cost \$2,799,541.88
Prepared By Kelly DuCommun	Reporting Period Begin Date 8/4/2013	Reporting Period End Date 8/31/2013
		Required Apprenticeship Percentage 15

Apprentice Summary

Apprentice Name	Female	Minority	Occupation	Registration Number	Contractor or Sub-Contractor	Hours Worked
Deborah J Adams	X		Laborer	155379	TUCCI & SONS, INC.	220
Correna Young	X		Laborer	175321	TUCCI & SONS, INC.	145
Byron J Burris		X	Laborer	153841	TUCCI & SONS, INC.	84
Darin Mathis			Laborer	172782	TUCCI & SONS, INC.	71
Colby Overholt			Laborer	175323	TUCCI & SONS, INC.	214
Ashley E Stafford	X	X	Operator	175218	TUCCI & SONS, INC.	130
Alexander G Bronson			Truck Driver	175267	TUCCI & SONS, INC.	82
Tracey W Mansell			Traffic Control Painter	175135	Apply-A-Line, Inc.	100
Mitch L Overton			Traffic Control	161293	Apply-A-Line, Inc.	11
Daniel Peyton			Traffic Control Painter	160309	Apply-A-Line, Inc.	29
Davin Roque		X	Laborer	175782	TUCCI & SONS, INC.	100
John Vanderheid			Laborer	175714	TUCCI & SONS, INC.	109
Severo A Vega		X	Traffic Control Painter	172487	Apply-A-Line	8

Journeyman Summary

Number Of Journeymen	Occupation	Hours Worked
30	Truck Driver	881
25	Operator	1171
13	Laborer	1102
9	Traffic Control Painter	275
2	Electrician	92

Remarks

I, the undersigned, do hereby certify under penalty of perjury that the items listed herein represent the proper hourly totals for Apprenticeship/Journeyman participation during this reporting period.

Printed Name: Kelly DuCommun	Title: Contract Administrator
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Understanding WSDOT Apprenticeship Specifications

Easy Online Reporting

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Welcome to WSDOT's Apprentice Utilization Reporting

WSDOT's electronic Apprentice Utilization Reporting web application allows you to submit your monthly Statement of Apprentice Journeyman Participation(form 422-115 EF) electronically. You should receive information about Apprentice Utilization along with an account name and password for the online system from the WSDOT Project Office you are working with after your contract is executed. If you did not receive the account name and password or are having trouble accessing the system you may email us at apprenticeship@wsdot.wa.gov.

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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 apprenticeship utilization requirement 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.

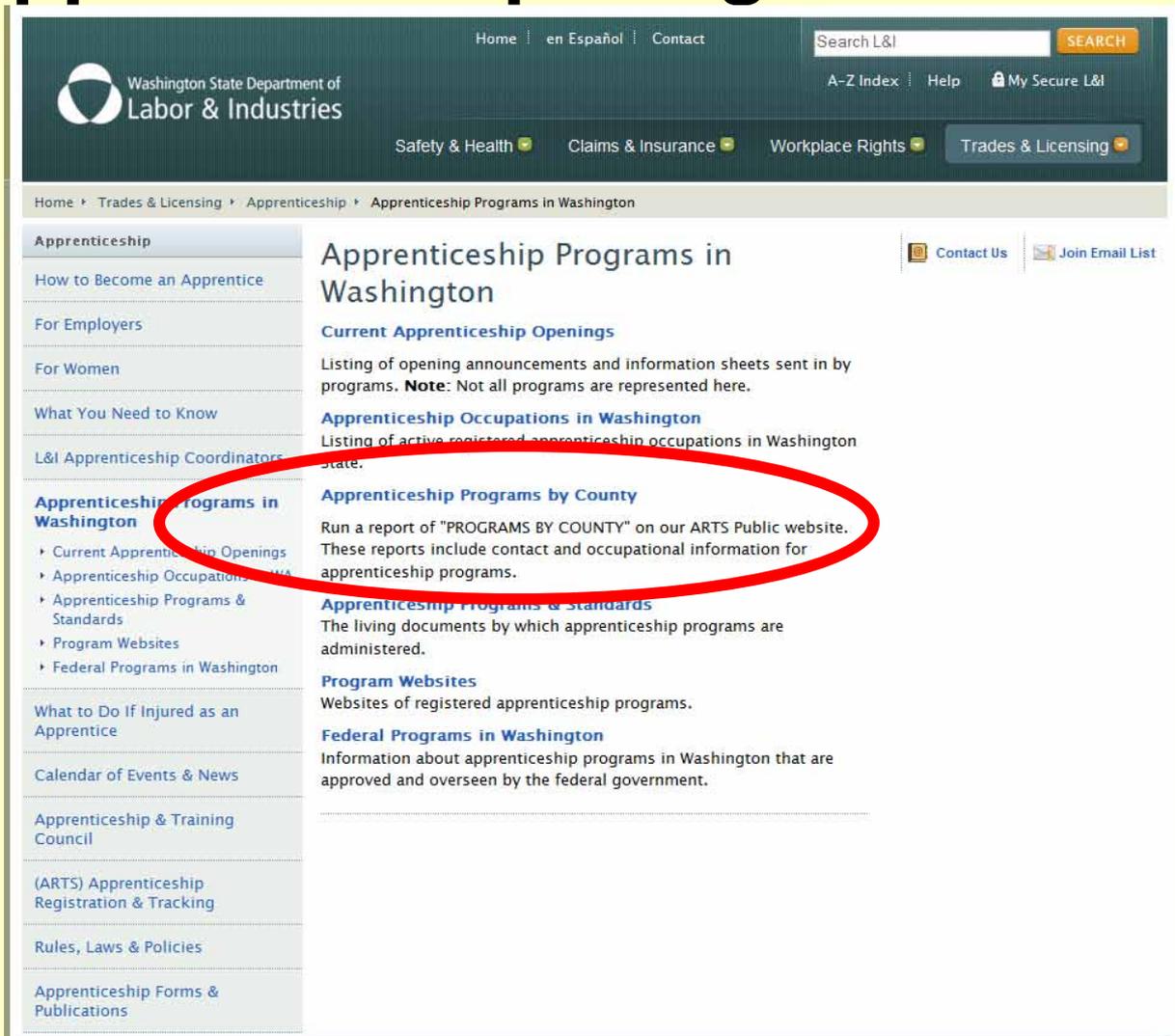
We’ll walk you through this in the next slide.

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

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



The screenshot shows the Washington State Department of Labor & Industries website. The main navigation bar includes links for Home, en Español, and Contact. A search bar is located in the top right corner. Below the navigation bar, there are links for Safety & Health, Claims & Insurance, Workplace Rights, and Trades & Licensing. The main content area is titled "Apprenticeship Programs in Washington" and features several sections: "Current Apprenticeship Openings", "Apprenticeship Occupations in Washington", "Apprenticeship Programs by County" (circled in red), "Apprenticeship Programs & Standards", "Program Websites", and "Federal Programs in Washington". A sidebar on the left contains a list of links related to apprenticeship, including "How to Become an Apprentice", "For Employers", "For Women", "What You Need to Know", "L&I Apprenticeship Coordinators", "Apprenticeship Programs in Washington", "What to Do If Injured as an Apprentice", "Calendar of Events & News", "Apprenticeship & Training Council", "(ARTS) Apprenticeship Registration & Tracking", "Rules, Laws & Policies", and "Apprenticeship Forms & Publications".

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

In Addition to Your Good Faith

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*

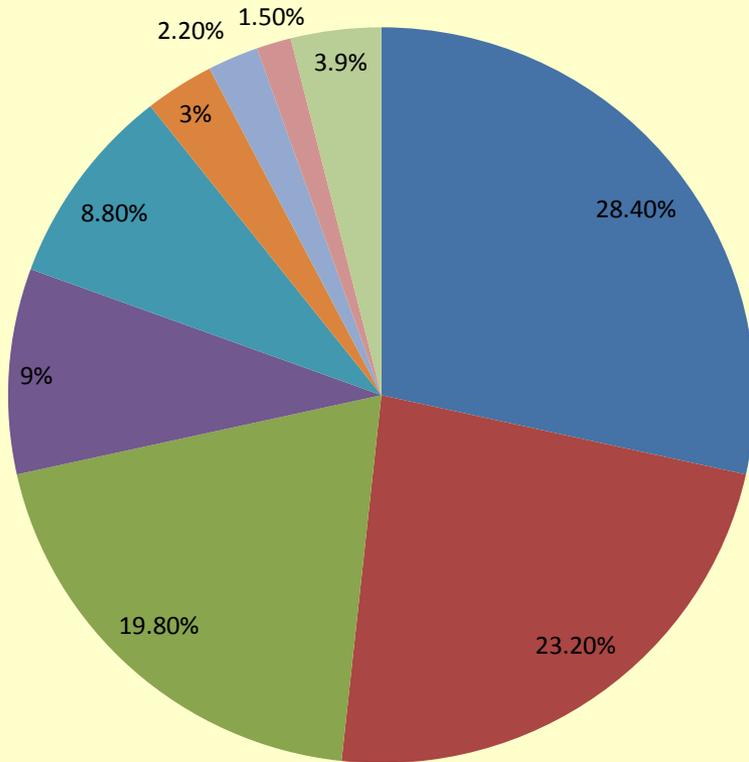
***For the agency to consider these efforts, you must first document you have taken the first four steps of the good faith effort in WSDOT's spec.**

APPRENTICESHIP QUESTIONS & ANSWERS



The following are answers to questions most frequently asked by contractors

Which Trades are Used Most?



- Laborer
- Carpenter
- Operator
- Ironworker
- Electrician
- Cement Mason
- Boilermaker
- Painter
- All Others

Apprentice Occupation	Total Hours Worked
Laborer	868,266
Carpenter	710,216
Operator	605,077
Ironworker	276,114
Electrician	269,167
Cement Mason	90,167
Boilermaker	66,841
Painter	46,819
All Others	122,204
Total	3,054,871

Data as of August 2015

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

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?

The law specifies that hours must be worked by employees who are working upon the public works project. Refer to WSDOT's Specification:

"Labor hours" means the total hours of workers receiving an hourly wage who are directly employed upon the public works project.

"Labor hours" includes hours performed by workers employed by the contractor and all subcontractors working on the project.

"Labor hours" does not include hours worked by foremen, superintendents, owners, and workers who 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 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. Be prepared to fully explain the issue encountered in writing. Be sure to collect 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