

SENATE AMENDMENTS TO A-ENGROSSED HOUSE BILL 2162

By COMMITTEE ON WORKFORCE

June 6

1 On page 1 of the printed A-engrossed bill, delete lines 14 through 17 and insert:

2 “(2) A state contracting agency shall provide in each public improvement contract for which the
3 contract price exceeds \$5 million that the contractor shall:

4 “(a) Employ apprentices to perform 10 percent of the work hours that workers in apprenticeable
5 occupations perform on the public improvement; and

6 “(b) Require in each subcontract for which the contract price exceeds the lesser of \$1 million
7 or 25 percent of the price of the contract that the subcontractor employ apprentices to perform 10
8 percent of the work hours that workers in apprenticeable occupations perform on the
9 subcontract.”.

10 On page 2, delete lines 26 through 45 and insert:

11 “**SECTION 3.** Section 2 of this 2017 Act is amended to read:

12 “**Sec. 2.** (1) As used in this section:

13 “(a) ‘Apprentice’ has the meaning given that term in ORS 660.010.

14 “(b) ‘Apprenticeable occupation’ has the meaning given that term in ORS 660.010.

15 “(c) ‘Apprenticeship agreement’ has the meaning given that term in ORS 660.010.

16 “(d) ‘Apprenticeship training program’ means the total system of apprenticeship that a particular
17 local joint committee, as defined in ORS 660.010, operates, including the local joint committee’s
18 registered standards and all other terms and conditions for qualifying, recruiting, selecting, em-
19 ploying and training apprentices in an apprenticeable occupation.

20 “(2) A state contracting agency shall provide in each public improvement contract for which the
21 contract price exceeds [~~\$5 million~~] **\$3 million** that the contractor shall:

22 “(a) Employ apprentices to perform [~~10~~] **12** percent of the work hours that workers in
23 apprenticeable occupations perform on the public improvement; and

24 “(b) Require in each subcontract for which the contract price exceeds the lesser of \$1 million
25 or 25 percent of the price of the contract that the subcontractor employ apprentices to perform
26 [~~10~~] **12** percent of the work hours that workers in apprenticeable occupations perform on the sub-
27 contract.

28 “(3) A contractor or subcontractor shall pay an apprentice for work on the public improvement
29 at the hourly rate to which the apprentice is entitled under an apprenticeship agreement or that the
30 apprenticeship training program specifies.

31 “(4) Subject to the terms of the public improvement contract, a contractor on a public im-
32 provement may decide the locations in which, the types of work for which and other details con-
33 cerning how the contractor employs apprentices for work on the public improvement. The contractor
34 may meet the requirement set forth in subsection (2) of this section by requiring one or more sub-
35 contractors to employ apprentices for work on the public improvement.

1 “(5) A contractor shall report the extent of the contractor’s compliance with this section to the
2 state contracting agency on forms, with contents the state contracting agency specifies by rule, and
3 at regular intervals that the state contracting agency specifies in the public improvement contract.
4 The forms and the contents that the state contracting agency specifies must include, at a minimum,
5 a report in which the contractor provides a detailed accounting of the total number of work hours
6 each month and the cumulative total number of work hours since the public improvement contract
7 term began in which:

8 “(a) Workers in apprenticeable occupations performed work on the public improvement; and

9 “(b) Apprentices performed work on the public improvement.

10 “(6) At least 30 days before making any final payment to a contractor under a public improve-
11 ment contract, a state contracting agency shall determine the extent of the contractor’s compliance
12 with the requirement in subsection (2) of this section. The state contracting agency shall base the
13 determination on the ratio between the actual number of work hours that workers in apprenticeable
14 occupations performed on the public improvement and the actual number of work hours that ap-
15 prentices performed on the public improvement, as shown in reports the state contracting agency
16 receives under subsection (5) of this section.

17 “(7) This section does not apply to:

18 “(a) The Department of Transportation or a public improvement contract that a contractor en-
19 ters into with the department; or

20 “(b) A public contract that a state contracting agency enters into under ORS 279B.080.”.

21 On page 3, delete lines 1 through 21.

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