

Requested by HOUSE COMMITTEE ON BUSINESS AND LABOR

**PROPOSED AMENDMENTS TO  
HOUSE BILL 2162**

1 On page 1 of the printed bill, delete lines 6 through 26 and delete page  
2 2.

3 On page 3, delete lines 1 through 20 and insert:

4 **“SECTION 2. (1) As used in this section:**

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

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

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

10 **“(d) ‘Apprenticeship training program’ means the total system of**  
11 **apprenticeship that a particular local joint committee, as defined in**  
12 **ORS 660.010, operates, including the local joint committee’s registered**  
13 **standards and all other terms and conditions for qualifying, recruiting,**  
14 **selecting, employing and training apprentices in an apprenticeable**  
15 **occupation.**

16 **“(2) A state contracting agency shall require in each public im-**  
17 **provement contract for which the contract price exceeds \$5 million**  
18 **that the contractor employ apprentices to perform 10 percent of the**  
19 **work hours that workers in apprenticeable occupations perform on the**  
20 **public improvement.**

21 **“(3) A contractor or subcontractor shall pay an apprentice for work**

1 on the public improvement at the hourly rate to which the apprentice  
2 is entitled under an apprenticeship agreement or that the apprentice-  
3 ship training program specifies.

4 “(4) Subject to the terms of the public improvement contract, a  
5 contractor on a public improvement may decide the locations in  
6 which, the types of work for which and other details concerning how  
7 the contractor employs apprentices for work on the public improve-  
8 ment. The contractor may meet the requirement set forth in sub-  
9 section (2) of this section by requiring one or more subcontractors to  
10 employ apprentices for work on the public improvement.

11 “(5) A contractor shall report the extent of the contractor’s com-  
12 pliance with this section to the state contracting agency on forms,  
13 with contents the state contracting agency specifies by rule, and at  
14 regular intervals that the state contracting agency specifies in the  
15 public improvement contract. The forms and the contents that the  
16 state contracting agency specifies must include, at a minimum, a re-  
17 port in which the contractor provides a detailed accounting of the  
18 total number of work hours each month and the cumulative total  
19 number of work hours since the public improvement contract term  
20 began in which:

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

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

24 “(6) At least 30 days before making any final payment to a con-  
25 tractor under a public improvement contract, a state contracting  
26 agency shall determine the extent of the contractor’s compliance with  
27 the requirement in subsection (2) of this section. The state contract-  
28 ing agency shall base the determination on the ratio between the ac-  
29 tual number of work hours that workers in apprenticeable occupations  
30 performed on the public improvement and the actual number of work

1 **hours that apprentices performed on the public improvement, as**  
2 **shown in reports the state contracting agency receives under sub-**  
3 **section (5) of this section.**

4 **“(7) This section does not apply to:**

5 **“(a) The Department of Transportation or a public improvement**  
6 **contract that a contractor enters into with the department; or**

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

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

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

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

12 **“(b) ‘Apprenticeable occupation’** has the meaning given that term in ORS  
13 660.010.

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

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

21 **“(2) A state contracting agency shall require in each public improvement**  
22 **contract for which the contract price exceeds [~~\$5 million~~] **\$3 million** that the**  
23 **contractor employ apprentices to perform [10] **12** percent of the work hours**  
24 **that workers in apprenticeable occupations perform on the public improve-**  
25 **ment.**

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

30 **“(4) Subject to the terms of the public improvement contract, a contractor**

1 on a public improvement may decide the locations in which, the types of  
2 work for which and other details concerning how the contractor employs  
3 apprentices for work on the public improvement. The contractor may meet  
4 the requirement set forth in subsection (2) of this section by requiring one  
5 or more subcontractors to employ apprentices for work on the public im-  
6 provement.

7 “(5) A contractor shall report the extent of the contractor’s compliance  
8 with this section to the state contracting agency on forms, with contents the  
9 state contracting agency specifies by rule, and at regular intervals that the  
10 state contracting agency specifies in the public improvement contract. The  
11 forms and the contents that the state contracting agency specifies must in-  
12 clude, at a minimum, a report in which the contractor provides a detailed  
13 accounting of the total number of work hours each month and the cumula-  
14 tive total number of work hours since the public improvement contract term  
15 began in which:

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

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

19 “(6) At least 30 days before making any final payment to a contractor  
20 under a public improvement contract, a state contracting agency shall de-  
21 termine the extent of the contractor’s compliance with the requirement in  
22 subsection (2) of this section. The state contracting agency shall base the  
23 determination on the ratio between the actual number of work hours that  
24 workers in apprenticeable occupations performed on the public improvement  
25 and the actual number of work hours that apprentices performed on the  
26 public improvement, as shown in reports the state contracting agency re-  
27 ceives under subsection (5) of this section.

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

29 “(a) The Department of Transportation or a public improvement contract  
30 that a contractor enters into with the department; or

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

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