

Requested by SENATE COMMITTEE ON WORKFORCE

**PROPOSED AMENDMENTS TO  
A-ENGROSSED HOUSE BILL 2162**

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

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

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

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

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

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

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

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

17 “(b) ‘Apprenticeable occupation’ has the meaning given that term in ORS  
18 660.010.

19 “(c) ‘Apprenticeship agreement’ has the meaning given that term in ORS  
20 660.010.

21 “(d) ‘Apprenticeship training program’ means the total system of appren-

1 ticeship that a particular local joint committee, as defined in ORS 660.010,  
2 operates, including the local joint committee's registered standards and all  
3 other terms and conditions for qualifying, recruiting, selecting, employing  
4 and training apprentices in an apprenticeable occupation.

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

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

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

15 “(3) A contractor or subcontractor shall pay an apprentice for work on  
16 the public improvement at the hourly rate to which the apprentice is entitled  
17 under an apprenticeship agreement or that the apprenticeship training pro-  
18 gram specifies.

19 “(4) Subject to the terms of the public improvement contract, a contractor  
20 on a public improvement may decide the locations in which, the types of  
21 work for which and other details concerning how the contractor employs  
22 apprentices for work on the public improvement. The contractor may meet  
23 the requirement set forth in subsection (2) of this section by requiring one  
24 or more subcontractors to employ apprentices for work on the public im-  
25 provement.

26 “(5) A contractor shall report the extent of the contractor's compliance  
27 with this section to the state contracting agency on forms, with contents the  
28 state contracting agency specifies by rule, and at regular intervals that the  
29 state contracting agency specifies in the public improvement contract. The  
30 forms and the contents that the state contracting agency specifies must in-

1 clude, at a minimum, a report in which the contractor provides a detailed  
2 accounting of the total number of work hours each month and the cumula-  
3 tive total number of work hours since the public improvement contract term  
4 began in which:

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

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

8 “(6) At least 30 days before making any final payment to a contractor  
9 under a public improvement contract, a state contracting agency shall de-  
10 termine the extent of the contractor’s compliance with the requirement in  
11 subsection (2) of this section. The state contracting agency shall base the  
12 determination on the ratio between the actual number of work hours that  
13 workers in apprenticeable occupations performed on the public improvement  
14 and the actual number of work hours that apprentices performed on the  
15 public improvement, as shown in reports the state contracting agency re-  
16 ceives 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  
19 that a contractor enters into with the department; or

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

22 On page 3, delete lines 1 through 21.

23

---