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City of Vancouver
Policies and Procedures

Title: **Apprenticeship Policy**	
Policy and Procedure Number: **COV-1100-003**	Supersedes (Number and Title): 12/1/2020, 6/17/2024 (COV-300-002)
Scope (Identify "citywide" or the affected department(s) and, optionally, the department's division(s)): Citywide	
Effective Date: 11/30/2026	Approved by (Name, Title and Signature): Geraldene Moyle, General Services Director Signed by: Geraldene Moyle

Purpose:

1) Clarify and establish procedures for the City's Apprenticeship Program.

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1.0 Definitions

Apprenticeship Program: An apprenticeship program approved or recognized by the Washington State Apprenticeship and Training Council or similar programs approved by the Washington State Department of Labor and Industries (L&I).

Apprenticeship Utilization: The total number of hours used during the duration of the project as reported on the Apprenticeship Utilization form.

Contractor(s): The Prime Contractor and any subcontractors

Monthly Utilization: The total number of apprenticeship hours used for one month as reported on the Monthly Utilization report.

Total Hours: The total hours of work performed by all workers (apprentice or journeyperson) receiving hourly wages on a public works project; this includes hours worked by the prime contractor and all subcontractors. Labor hours do not include hours performed by supervisors, superintendents, owners, and workers who are not subject to prevailing wage requirements.

2.0 Overview

The City of Vancouver recognizes that a well-trained construction work force is critical to the ability of constructing successful public works projects. Apprenticeship training programs are particularly effective in providing training and experience to individuals seeking to enter or advance in the work force. By providing for apprenticeship utilization on public works projects, the City can create opportunities for training and experience that will help assure that a trained work force will be available in sufficient numbers in the future for the construction of public works projects.

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3.0 Program Requirements

All public works construction projects estimated to cost $500,000 dollars or more, will require the Contractor to have a percentage of their labor hours performed by apprentices enrolled in an approved Apprenticeship Program.

For projects awarded on or after July 1, 2024 – June 30, 2026, the percentage of hours required for projects are based on the engineer's estimate for the project as follows:

Engineer's Estimate	Required Minimum Labor Hours
$500,000 - $1,000,000	3%
$1,000,001 - $1,499,999	5%
$1,500,000 - $1,999,999	10%
Above $2,000,000	15%

For projects advertised on or after July 1, 2026 – June 30,2028 the percentage of hours required for projects are based on the engineer's estimate for the project as follows:

Engineer's Estimate	Required Minimum Labor Hours
$500,000 - $1,000,000	5%
$1,000,001 - $1,499,999	10%
Above $1,500,000	15%

For all projects advertised on or after July 1, 2028, the percentage of hours required for projects with an engineer's estimate greater than $1 million shall be 15%.

The Prime Contractor will be required to submit weekly certified payrolls to Washington State Labor & Industries to aid in the tracking of apprenticeship utilization. Procurement staff will review the monthly utilization of apprentices in the L & I portal when processing pay estimates and perform regular check-ins with the Contractor to discuss the status of utilization. The City reserves the right to require the Contractor to submit a separate monthly utilization form if the Contractor is behind in submitting payrolls to L & I or to withhold payment until the certified payrolls are submitted.

Prior to the payment of the final pay estimate the Contractor and all subcontractors will be required to file the affidavit of wages paid for the project and all applicable certified payrolls. Based on the information from the affidavits and payrolls, the City will use the apprenticeship utilization information in the L & I portal to determine the incentive or penalty applicable for the project.

If the Contractor meets the apprenticeship goal for the project an incentive of will be included in their final pay estimate. The amount of the estimate will be determined by the contract value of the project:

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Contract Amount	Incentive
$1,000,00 - $5,000,000	$6,000
$5,000,000 - $10,000,000	$8,000
Above $10,000,000	$10,000

Penalties for the apprenticeship program will be based on the engineer's estimate. For projects with an engineer's estimate of $500,000 to $1,999,999 the penalties will be based on a five-year period from the first failure to meet the apprenticeship goal without a demonstrated good faith effort. A penalty of $25 per hour will be assessed for the first project that the Contractor is unable to meet the apprenticeship requirement. For the second project, in five years, that a contractor is unable to meet the apprenticeship requirement a penalty of $100 per hour will be assessed.

For projects with an estimate of $2,000,000 or more the penalty for failure to meet the apprenticeship requirement without a demonstrated good faith effort will be assessed at $100 per hour for each unmet hour.

4.0 Good Faith Effort

If the Contractor can demonstrate a good faith effort (GFE) was made to meet the apprenticeship requirement, the penalty may be waived by the Procurement Manager or designee. The City, at its sole discretion, may reduce or waive the goal if the contractor has demonstrated to the satisfaction of the City that it has utilized its good faith efforts to meet the established percentage requirement but remains unable to fulfill the goal.

GFE may be demonstrated by providing documentation that demonstrates one or more of the following scenarios:

- Apprentice retention issues - If for any reason the contractor has a difficult time finding apprentices that will work on their project due to specific issues (night work, short shifts, irregular work) or an apprentice quits (drops out of program completely or finds a different opportunity) a time lag in getting a new apprentice on site may be a legitimate GFE reason. The contractor will document the date the apprentice began work, the duration of their work, when they quit, when the contractor called the apprentice program or began hiring a new apprentice and when the replacement apprentice arrived at the job site.
- Apprentice to Journeyperson ratio requirements - A contractor can document the ratio of journey level to apprentice worker limitations, hours in the job, and total crew size on the project makes it impossible to meet apprenticeship requirements. The contractor must submit documentation of their workforce by each occupation that can be apprenticed, total crew size, supervision level required and the number of apprentices that could be utilized on the project in order to demonstrate that the requirement cannot be met.
- Classroom Training resulting in less hours on the project - Apprentices must complete a certain amount of classroom training each year. Depending on the program, training could last up to two months. The training could be one continuous period or spread out. If an apprentice must leave the project to attend classroom training, the Owner may consider a reduction in apprentice utilization hours. The contractor must document the number of hours missed by the apprentice due to classroom training. (This is not the number of classroom training hours, but the number of hours they would have been on the job had

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they not been in classroom training.) Documentation by the instructor or program administrator and its classroom duration/timing is also required.

- Added or deleted work affecting apprenticeship participation - If the Owner has made a significant change to the contract that alters the contractor's plan for achieving the apprenticeship requirement, the contractor is encouraged to make reasonable attempts to meet the requirement a different way. The contractor should document the change in total labor hours based on the change to the contract by occupation and demonstrate the effect on apprentice hiring needs as compared to the original utilization plan and efforts made to acquire the additional apprentices.
- Displace member of current workforce - It is not the intent of apprentice utilization requirements for contractor(s) to have to lay off journeymen or recently graduated apprentices to hire apprentices. In a small or established workforce with little turnover, apprentice opportunities may not exist. This can be a legitimate GFE reason if the contractor can demonstrate that when hiring opportunities do occur, they hire apprentices in State-approved training programs. The contractor must submit evidence showing the individuals on the crew for the project, their duration of employment, if they were hired as apprentices, and whether or not they graduated from a State-approved program. The contractor should also submit a list of recent hires companywide and whether or not they are/were apprentices in a State-approved apprenticeship program.
- Inability to find available apprentices – The contractor will document their prior participation or contact with State-approved apprenticeship training program/s (such as a letter from the program/s or a copy of their current agreement with the program/s); their contacts with the apprenticeship program/s (such as copies of e-mails or letters requesting apprentices and the response from the program/s stating by letter or e-mail that no apprentices are available). On longer duration jobs it is expected the contractor document continued contact with the program/s as the project progresses.
- Conflict with federal requirements - Federal training requirements take precedence over the State apprenticeship requirement. The contractor must submit documentation demonstrating that Federal requirements are solely responsible for the relief being sought.
- Technical or Prescriptive Warranty Work - Work performed used on the project is too critical or technical to be performed by apprentices, even when working under the supervision of a journey level worker. In these circumstances, the contractor must document the critical or technical aspect of the work or equipment by demonstrating how rare/uncommon it is, how few employees are sufficiently skilled to perform or operate the work/equipment, any special training needed to do so, and why it would not be reasonable to provide an apprentice with the required training. The contractor must also document the portion of the total project hours involved performing this work or operating equipment. Any further documentation of concurrence from an approved apprenticeship program could supplement a waiver request. Further, if work by an apprentice will compromise or void the warranty provided by a manufacturer or surety, a contractor should provide a letter or communication from the 3rd party responsible for warranty or underwriting.
- No Apprenticeship Program - In situations where a large portion of work on a project is in an occupation without a State-approved apprenticeship program, the contractor must document the fact that there is no State-approved apprenticeship program, (such as a letter from L&I or the Washington State Apprentice Training Council, a printout of the

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programs on L&I's website or documentation from approved training programs that apprentice training for that specific occupation is not available).

GFE requests shall include and, at a minimum, address the following items:

- Contract number and project title
- Apprenticeship goal for the specific project
- The number of apprentices' labor hours that the Contractor was able to obtain for the project.
- Reason(s) for not obtaining apprentice labor hours. Information provided should address the Contractor and all subcontractors who performed work on the project reasons for not meeting the required goal.
- Backup documentation that supports the reasons for not being able to obtain apprentices. Backup documents should be dated and show the response from the requested agency.

The following examples are not sufficient to document GFE:

- Falling short of the requirement due to subcontractors not using apprentices.
- Not using a State-approved apprenticeship program while you are trying to get your own program approved by the Washington State Apprenticeship and Training Council (WSATC).
- Not using a State-approved apprenticeship program due to cost.
- Not using a State-approved apprenticeship program because you are an out-of-state contractor.
- Not replacing an apprentice that quit or was fired.

Following review of the documented good faith effort the City may request the Contractor to submit additional information within five business days. After review of the information provided the City will provide the Contractor a final determination within five business days. If a delay in providing a determination will occur the City will notify the contractor of the delay and provide a revised determination date. The City's decision is not appealable.

5.0 Waiver or Reduction of Goals

Prior to bids, the General Services Director or designee may waive or reduce the apprenticeship participation percentage on Public Works construction projects based on documentation submitted by the project manager. These factual findings must show that at least one of the following conditions exist: (1) a disproportionately high ratio of material costs to labor hours on the particular project does not make feasible the required minimum level of apprentice participation; (2) the project is less than 30 calendar days or working days in duration and will render apprentice utilization unfeasible at the required levels.

6.0 Exemption Related to Grant Funding

This policy may not apply if state or federal grant funding requirements do not allow for a local training or apprenticeship policy.

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7.0 References

RCW 39.04.320: Apprenticeship training programs—Public works contracts—Adjustment of specific projects—Report and collection of agency data—Apprenticeship utilization advisory committee created.