

WSDOT Apprentice Utilization Requirement Quick Reference Guide



Theresa Cronauer, an operator apprentice uses a vibratory roller to compact material on SR 9.

Your WSDOT contract contains a requirement that no less than 15% of project labor hours shall be performed by apprentices. This guide has been developed to assist you with understanding the reporting requirements associated with apprenticeship and what documentation you'll need to save in the event you must demonstrate that you met the requirement through a good faith effort.

If you have questions after reading this guide and visiting the resources below, you should contact the WSDOT Project Office you are working with for more information about apprentice utilization requirements.

Any feedback on this guide and the related resources should be sent to:
apprenticeship@wsdot.wa.gov

This document is intended to be a quick reference and may not answer all questions related to WSDOT's apprenticeship contract requirements. If information in this document should differ from information in your contract, the contract contains the correct information.

RESOURCES:

See section 1-07 in the General Special Provisions of your contract for the Apprentice Utilization specification.

For information about WSDOT's apprenticeship contract requirements or for additional training visit: www.wsdot.wa.gov/Business/Construction/ApprenticeshipProgram.htm

For information on State-Approved Apprenticeship Programs visit Labor & Industries' website: www.lni.wa.gov/TradesLicensing/Apprenticeship/Programs

To access the Apprentice Utilization Reporting Application, visit: www.wsdot.wa.gov/business/construction/apprenticeshipprogram.htm



Apprentice Paul Stone removes concrete for a dowel bar replacement on US 195.

An Apprentice Utilization Plan based on what contractors and their subs intend to achieve is an incredibly useful tool for determining if you can meet the requirement through utilization and tracking your progress.

APPRENTICE UTILIZATION PLAN

Within 30 days of execution of the contract, you will submit an apprentice utilization plan demonstrating how and when you intend to achieve the Apprentice Utilization Requirement. This plan is a tool for both you and the WSDOT Project Office to determine the likelihood of your success in meeting the 15% apprenticeship requirement through utilization.

Successful contractors will plan to use subcontractors that will contribute toward the apprenticeship requirement. It is the prime contractor's responsibility to meet the 15% requirement regardless of the subcontractor's willingness to participate. Should a subcontractor fall short on intended apprenticeship labor, it will be the prime contractor's responsibility to continue to meet the goal.

Apprentice Utilization plans should be realistic and only include apprenticeship hours you expect to achieve.

If you have created a realistic plan and it indicates that you will not meet the requirement through utilization then you'll know that you need to begin collecting documentation for your Good Faith Effort (GFE).

The plan should be updated periodically as the project progresses. By updating your plan as subcontractors or schedules change, you'll see whether or not you are still on track to meet the requirement and if you need to make adjustments or begin collecting GFE documentation in the event you do not meet the requirement through utilization.

From the time that work begins on the project until physical completion, you will submit a monthly report of apprentice and journeyman hours through the internet reporting system. You'll receive a login and password for the internet site from the WSDOT Project Office you are working with after execution of the contract.

TIPS FOR CREATING YOUR APPRENTICE UTILIZATION PLAN

- Include all subcontractors, regardless of whether or not they will be using apprentices.
- Get an estimate from each subcontractor of how many hours they will perform on the project and how many of those hours will be performed by apprentices.
- Make sure that each contractor that has committed to using apprentices is enrolled in a State-Approved Apprenticeship Program – this is a requirement of Apprentice Utilization.
- Update the plan as the schedule changes or new contractors come on to verify that you can still meet the requirement through utilization.

FOR MORE INFORMATION OR IF YOU HAVE QUESTIONS ABOUT THE APPRENTICE UTILIZATION PLAN PLEASE CONTACT THE WSDOT PROJECT OFFICE YOU ARE WORKING WITH PRIOR TO SUBMITTING YOUR PLAN.



An apprentice carpenter works hard on a WSDOT project.

STATEMENT OF APPRENTICESHIP JOURNEYMAN PARTICIPATION

Q: What labor hours get reported?

A: Labor hours are the total hours performed by all workers (apprentice or journeyman) receiving an hourly wage who are working upon the public works project including hours performed by workers employed by the prime contractor and all subcontractors. Labor hours do not include hours performed by foreman, superintendents, owners and workers who are not subject to prevailing wage requirements.

Q: Do I include truck drivers?

A: Truck drivers should be reported in the same manner as any other apprentice or journeyman working upon the public works project.

Q: What about plant workers or hours for offsite fabrication?

A: You will only report hours for employees working upon the public works project.

Q: Are owner/operators included?

A: The owner/operator would not be included.

The monthly report consists of two areas of reporting, the first being apprentice hours. Apprentice hours are to be reported by each individual and the entry must include the apprentice's 6 digit registration number demonstrating their enrollment in a State-Approved Apprentice Program. The second area of the report is the journeyman section. You do not need to report each individual, but report the number of employees and total hours worked for each occupation that was on site that month. Keep in mind that both sections of the report need to include hours worked by employees of the prime contractor and all subcontractors.

IF YOU ARE UNSURE IF AN EMPLOYEE SHOULD BE INCLUDED ON THE REPORT PLEASE CONTACT THE WSDOT PROJECT OFFICE YOU ARE WORKING WITH FOR CLARIFICATION PRIOR TO SUBMITTING YOUR MONTHLY REPORT.

GOOD FAITH EFFORT (GFE) DOCUMENTATION

The WSDOT Project Engineer will review your GFE Documents to determine that:

1. The situation/s documented is a Good Faith Effort (meets the intent of the contract requirement), AND
2. The entire shortfall in apprentice participation could likely be attributable to the situations/s documented in your GFE.

If your plan shows that you will not meet the requirement through utilization, or if your monthly reporting indicates you will fall below the 15% requirement, you will need to submit Good Faith Effort (GFE) Documentation to demonstrate you met the requirement through good faith.

GFE DOCUMENTATION IS NOT A NARRATIVE, IT IS DOCUMENTATION DEMONSTRATING YOUR EFFORTS TO UTILIZE APPRENTICES:

- Letters or e-mails from apprenticeship programs
- Documents showing your participation in apprenticeship programs
- Listings of available programs
- Agreements
- Contracts
- Photographs
- Payrolls, timecards and schedules
- Spreadsheets or data from company systems
- Logs of phone calls with names, dates and outcomes

To demonstrate you met the requirement through good faith you must solicit apprentices from State-Approved Apprenticeship Programs and get documentation from the programs showing that none were available for dispatch. You must update your plan to reflect the reduced use of apprentices. You must also require your subcontractors to utilize apprentices and provide documentation of the efforts you made to encourage subcontractors to assist you in meeting the requirement.

WHAT WILL BE ACCEPTED?

- Documentation demonstrating that your company or a subcontractor's company uses State-Approved programs and no apprentices were available for the project.
- Documentation demonstrating that your company or a subcontractor's company cannot meet the entire apprenticeship requirement due to a conflicting federal requirement such as TERO, training or DBE Goals.
- Documentation demonstrating that your company or a subcontractor's company makes a practice of using State-Approved Apprenticeship Programs to fill training opportunities when they occur and retains graduates of these programs in your workforce and that no hiring opportunities occurred during the course of the contract.

WHAT WON'T BE ACCEPTED?

- Falling short of the requirement due to subcontractors not using apprentices (unless they are a DBE)
- Not being able to get your own apprenticeship program approved.
- Not using a State-Approved Program due to cost
- Not using a State-Approved Program because you are an out-of-state contractor
- Any other reasons why a contractor or subcontractor chose not to use State-Approved Apprenticeship Programs.

FOR MORE INFORMATION ON GOOD FAITH EFFORT DOCUMENTATION PLEASE CONTACT THE WSDOT PROJECT OFFICE YOU ARE WORKING WITH PRIOR TO PHYSICAL COMPLETION. IF YOUR PLAN SHOWS FROM THE BEGINNING THAT YOU WILL NOT MEET THE REQUIREMENT, PLEASE CONTACT THE PROJECT OFFICE AFTER SUBMITTING YOUR PLAN IF YOU NEED ASSISTANCE DETERMINING WHAT DOCUMENTATION YOU SHOULD COLLECT TO DEMONSTRATE A GOOD FAITH EFFORT.

Americans with Disabilities Act (ADA) Information: This material can be made available in an alternate format by emailing the Office of Equal Opportunity at wsdotada@wsdot.wa.gov or by calling toll free, 855-362-4ADA(4232). Persons who are deaf or hard of hearing may make a request by calling the Washington State Relay at 711.

Title VI Statement to Public: It is the Washington State Department of Transportation's (WSDOT) policy to assure that no person shall, on the grounds of race, color, national origin or sex, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or be otherwise discriminated against under any of its federally funded programs and activities. Any person who believes his/her Title VI protection has been violated, may file a complaint with WSDOT's Office of Equal Opportunity (OEO). For additional information regarding Title VI complaint procedures and/or information regarding our non-discrimination obligations, please contact OEO's Title VI Coordinator at (360) 705-7082.