SENATE . . . . . No. 2712

The Commonwealth of Massachusetts

In the One Hundred and Ninety-First General Court
(2019-2020)

SENATE, May 21, 2020.

The committee on Labor and Workforce Development to whom was referred the petition (accompanied by bill, Senate, No. 1044) of Joseph A. Boncore for legislation relative to apprenticeship programs, reports recommending that the accompanying bill (Senate, No. 2712) ought to pass.

For the committee,
Patricia D. Jehlen

FILED ON: 2/4/2020

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In the One Hundred and Ninety-First General Court
(2019-2020)

An Act relative to apprenticeship programs.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Section 44D of chapter 149 of the Massachusetts General Laws as appearing in the 2018 Official Edition is hereby amended by inserting the following subsection after subsection (b):

(c) This section shall apply to any request for bids or request for proposals for contracts set forth herein which are issued more than ninety days after the date this section becomes effective. This section shall further apply to any contract for the construction, reconstruction, installation, demolition, maintenance or repair of any building that is subject to sections 26 through 27D of Chapter 149 inclusive, regardless of whether the project is not otherwise subject to sections 44A to 44H of Chapter 149 inclusive.

For all such contracts, all trade contractors and subcontractors working under the contract shall, within thirty calendar days of award of the contract, maintain or participate in an apprentice training program registered and approved pursuant to Sections 11E through 11W of Chapter 23 inclusive, or registered and approved as a registered apprenticeship program by the

U.S. Department of Labor pursuant to 29 C.F.R. Section 29. Said contractors and subcontractors shall employ apprentices registered and approved through said programs on said contract throughout the duration of said contract. Effective January 1, 2023, to be eligible as an apprenticeship program under this section, said registered and approved apprenticeship program must have graduated apprentices to journey worker status for at least three of the past five years.

Within forty-five calendar days of award of the contract, each contractor and subcontractor shall provide written certification of compliance with this section and documentation identifying the apprenticeship program which it maintains or in which it participates to the attorney general.

SECTION 2. Chapter 149A of the Massachusetts General Laws as appearing in the 2018 Official Edition is hereby amended by adding the following section:

Section 22. (a) This section shall apply to any request for bids or request for proposals for contracts set forth herein which are issued more than ninety days after the date this section becomes effective.

For all such contracts, all trade contractors and subcontractors working under the contract shall, within thirty calendar days of award of the contract, maintain or participate in an apprentice training program registered and approved pursuant to Sections 11E through 11W of Chapter 23 inclusive, or registered and approved as a registered apprenticeship program by the U.S. Department of Labor pursuant to 29 C.F.R. Section 29. Said contractors and subcontractors shall employ apprentices registered and approved through said programs on said contract throughout the duration of said contract. Effective January 1, 2023, to be eligible as an

apprenticeship program under this section, said registered and approved apprenticeship program must have graduated apprentices to journey worker status for at least three of the past five years.

Within forty-five calendar days of award of the contract, each contractor and subcontractor shall provide written certification of compliance with this section and documentation identifying the apprenticeship program which it maintains or in which it participates to the attorney general.

SECTION 3. Section 39M of chapter 30 of the Massachusetts General Laws as appearing in the 2018 Official Edition is hereby amended by inserting the following subsection after subsection (e):

Section 39M. (f) This section shall apply to any request for bids or request for proposals for contracts set forth herein which are issued more than ninety days after the date this section becomes effective.

For all such contracts, all trade contractors and subcontractors working under the contract shall, within thirty calendar days of award of the contract, maintain or participate in an apprentice training program registered and approved pursuant to Sections 11E through 11W of Chapter 23 inclusive, or registered and approved as a registered apprenticeship program by the U.S. Department of Labor pursuant to 29 C.F.R. Section 29. Said contractors and subcontractors shall employ apprentices registered and approved through said programs on said contract throughout the duration of said contract. Effective January 1, 2023, to be eligible as an apprenticeship program under this section, said registered and approved apprenticeship program must have graduated apprentices to journey worker status for at least three of the past five years.

Within forty-five calendar days of award of the contract, each contractor and subcontractor shall provide written certification of compliance with this section and documentation identifying the apprenticeship program which it maintains or in which it participates to the attorney general.