

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

SENATE No. 2712

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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:

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

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

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

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

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

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

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

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

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

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

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

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

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

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