

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

Michael P. Kushmerek

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act utilizing apprenticeship programs for career paths in construction.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>1/15/2025</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/27/2025</i>
<i>Aaron L. Saunders</i>	<i>7th Hampden</i>	<i>1/28/2025</i>

HOUSE No.

[Pin Slip]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act utilizing apprenticeship programs for career paths in construction.

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. “Bid” shall mean any bid, proposal, or quote rendered by a contractor at any
2 level to the public agency or to another contractor for the performance of work on a public works
3 project.

4 SECTION 2. “Construction contract” shall mean any public works contract as defined
5 herein with a value in excess of \$1,000,000.

6 SECTION 3. “Public agency” means a department, agency, board, commission,
7 authority, or other instrumentality of the commonwealth, political subdivision of the
8 commonwealth, city, town, or by persons contracting or subcontracting for a public works.

9 SECTION 4. “Public works” means the construction, reconstruction, alteration,
10 remodeling, repair or demolition of any public building or any other public works by a public
11 agency.

12 SECTION 5(a). Notwithstanding any general or special law to the contrary, a public
13 agency shall require, as a condition of bidding on a construction contract for public works, that
14 all construction managers, general contractors and subcontractors at any level at the time of
15 bidding maintain or participate in a bona fide apprentice training program as defined under G.L.
16 c. 23, §§11H and 11I for each apprenticeable trade or occupation represented in their workforce
17 that is approved by the Division of Apprentice Standards of the Executive Office of Labor and
18 Workforce Development, and must register all apprentices with the Division and abide by the
19 apprentice to journeyman ratio for each trade prescribed therein in the performance of any work
20 on a public works project; provided further, that in the event the public agency does not receive
21 any bids from a qualified and responsible bidder maintaining or participating in such an
22 apprentice training program, the public agency may resolicit bids for that category of work
23 without the requirements of this section. This section does not require the program to qualify as
24 an employee welfare benefit plan under the Employee Retirement Income Security Act of 1974
25 (ERISA), 29 U.S.C. §§1001-1461.

26 (b) Any bidder for a public works project that does not maintain or participate in a bona
27 fide apprentice training program as defined under G.L. c. 23, §§11H and 11I for each
28 apprenticeable trade or occupation represented in their workforce that is approved by the
29 Division of Apprentice Standards of the Executive Office of Labor and Workforce Development
30 shall not be regarded as a responsible and eligible bidder.

31 SECTION 6. The provisions of this act are severable and if any provision is determined
32 to contravene state or federal law, the remainder of this act shall remain in full force and effect.