

APPRENTICESHIP UTILIZATION GOOD FAITH EFFORTS DOCUMENTATION

Version Date: July 1, 2024

Project: _____

Prime Contractor: _____

Prepared By (print name and title): _____

Date: _____

Requested apprentice utilization percentage (goal adjustment): _____

Contractor Statement

An adjustment to the apprentice utilization requirements for the above-named project is hereby requested. All contractors and subcontractors on the project understand the requirements, have performed the following documented good faith efforts, and have confirmed that the required apprentice utilization hours will not be able to be achieved for the ***following rationale***.

_____ (initial)

Rationale. Check all that apply.

- Demonstrated lack of availability of registered apprentices in the county area or by trade as verified by the Washington State Apprenticeship and Training Council (WSATC). List trades:

- Disproportionately high ratio of material/product/equipment cost to labor.
- Not enough hours available on the project to accommodate the ratio, supervision, or work process required.
- State-approved apprentice programs unavailable for the specific work type.
- Warranty or specialty work requirements unable to accommodate apprentices.
- Funding requires federal, native American, or other employee training program that conflicts with Washington State apprentice utilization requirements.
- Other: _____

Documentation must be attached to substantiate the request. Check all that apply and attach.

- Emails, letters, or similar **communication with appropriate state apprenticeship program** confirming the assessment or denying apprentices or similar. Include, dates, time, responses, names, titles, and similar information.
- Manufacturer letter** or email statement of equipment, material, or product that substantiates the cost and/or the specialty nature of the item and the requirement for certified/specific installers or similar.
- Specification section**, funding requirement, or similar precluding or hindering state apprentice utilization requirements.
- Other:** _____

Attach a revised Apprentice Utilization Plan showing where adjustments are requested.

**APPRENTICESHIP UTILIZATION GOOD FAITH EFFORT (GFE) & GOAL ADJUSTMENT REQUEST:
DOCUMENTATION AND PROCESSING GUIDANCE**

Must be submitted with an updated Apprentice Utilization Plan.

The Contractor, and trade subcontractors, must demonstrate that they have exercised “best efforts” to recruit apprentices and were still unable to meet the goal. ***One or more of the following*** rationales apply and are evidenced in this request.

GFE documentation must be submitted to the OWNER as soon as it is known that the apprenticeship requirement cannot be met. Waiting until completion or near completion of the project to submit information is not acceptable; time is of the essence.

The OWNER will review the contractor’s good faith documentation to determine that:

1. The situation/s documented by the contractor represent a legitimate Good Faith Efforts, and
2. The shortfall in apprentice participation is attributable to the situation/s documented by the contractor in the GFE.

ACCEPTABLE GOOD FAITH EFFORTS

- NO APPRENTICES AVAILABLE:** 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.
- 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 programs on L&I’s website or documentation from approved training programs that apprentice training for that specific occupation is not available).
- CONFLICTING FEDERAL TRAINING REQUIREMENT:** 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.
- APPRENTICE TO JOURNEYMEN RATIOS AND LACK OF AVAILABLE HOURS:** 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.
- APPRENTICE/S GRADUATE DURING PROJECT:** If an apprentice graduates during a project, a Contractor can submit documentation from the apprentice program and evidence of change in worker status. Estimated hours on the project would not change overall only the apprentice utilization percentage.
- WORK TOO TECHNICAL OR PERSCRIPTIVE WARRANTY WORK:** Work performed 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 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.

ADDED OR DELETED APPRENTICE WORK: 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.

APPRENTICE WORK CONDITION 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.

SMALL OR ESTABLISHED 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.

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

WORK TOO DANGEROUS: Generally, no work should be too dangerous for apprentices. If a contractor can demonstrate that work occurs in an area where an apprentice could not be supervised, it may qualify as a GFE. The situation must be documented appropriately with communication from the Apprentice Program, pictures, and other safety considerations.

NOT A GOOD FAITH EFFORT:

CONTRACTOR CANNOT GET THEIR OWN APPRENTICESHIP PROGRAM APPROVED: A contractor cannot get their own apprenticeship program approved by the State in time to meet the contract requirements.