

Office of Governor Patrick J. Lucey
State Capitol Building
Madison, Wisconsin 53702

No. 16

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PRESS RELEASE

For release: Wednesday, May 12, 1971
Immediately

The attached Executive Order directs state agency heads to include in all construction contracts a statement that would require the contractors or sub-contractors to indenture apprentices in conformance with established regulations. Experience indicates that the directive will provide for a minimum of 20% additional apprenticeship opportunities throughout the construction industry. This could be interpreted as a potential growth of approximately 700 additional construction trades apprentices depending, of course, on the overall volume of State construction contracts.

Because of the current federal regulations requiring the indenturing of minorities and the subsequent matching State regulations, the new job slots created by this Order will provide significant opportunity to increase the minority participation in the construction trades. A fair guess would be that minorities could expect to get over 20% of these expanded opportunities and in some areas the figure would be even higher.

EXECUTIVE ORDER NO. 16

APPRENTICES ON STATE CONSTRUCTION PROJECTS

I hereby ask the heads of all state government agencies to include a clause in construction contracts that will require the employment of apprentices on such projects and that, where possible, up to 25% of the apprentices on each project be in their first year of training. Also, where possible, the number of apprentices employed shall be the maximum permitted in accordance with established ratios.

Policy

In order to promote the full realization of apprenticeship opportunities on state and state-assisted construction projects, it is the policy of the state government that no contracts or subcontracts shall be awarded for state or state-assisted construction projects in Wisconsin, unless the bidder agrees to an acceptable apprenticeship program which includes specific ratios of apprentices in skilled trades which have been determined as apprenticeable by the Department of Industry, Labor and Human Relations.

Requirements

The ratio of apprentices to journeymen, in each skilled trade classification required on the project at all times shall be as established by the Department of Industry, Labor and Human Relations. Where possible, twenty-five (25) percent of all apprentices employed on the contract should be in their first year of training as defined by the Department of Industry, Labor and Human Relations.

Definition

Apprentice--a person indentured under Chapter 106 of the State Laws of Wisconsin.

Invitation for Bids or Other Solicitations for Bids

Each state agency shall include in the invitation for bids, or other solicitation used for a state-involved construction contract, a notice stating that to be eligible for award, each bidder will be required to agree to employ apprentices in accordance with the ratio of apprentices to journeymen established by the Department of Industry, Labor and Human Relations whether or not the work is subcontracted. The form of such notice shall be substantially similar to the one attached as Appendix A to this Order.

Post-Award Compliance

The Department of Industry, Labor and Human Relations shall review contractors' and subcontractors' training programs with respect to the ratio of apprentices to journeymen employed on the project during performance of the contract.

The Department of Industry, Labor and Human Relations shall review the training programs with respect to meeting and maintaining an acceptable quality of training. If the established ratio of apprentices to journeymen applicable to the contract are being met, the contractor or subcontractor will be presumed to be in compliance with this regulation. In the event of failure to meet these ratios, the contractor shall be given an opportunity to demonstrate that he made every good faith effort to meet his commitment. Such noncompliance by the contractor or subcontractor shall be taken into consideration by state agencies in determining whether such contractor or subcontractor can comply with this regulation and is therefore a "reasonable prospective contractor".

Exemptions and Modifications

Reasonable exemptions and modifications to and from any or all requirements of this regulation may be made with respect to any specific contract or subcontract upon grounds of undue hardship, inequity, and when special circumstances in the local public interest, or local or areawide employment situation so require. A request for an exemption or modification, with justification, be made in writing, addressed to Department of Industry, Labor and Human Relations, P. O. Box 2209, Madison, Wisconsin 53701.

Effective Date

The provisions of this Order will be effective with respect to transactions for which the invitations for bids or other solicitations for bids are sent on or after June 1, 1971.

IN TESTIMONY WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Wisconsin to be affixed. Done at the Capitol in the City of Madison this _____ day of May in the year of our Lord one thousand nine hundred and seventy-one.

PATRICK J. LUCEY
G o v e r n o r

BY THE GOVERNOR:

APPENDIX A

State Agency Heads shall cause or require to be incorporated in the specification for any contract the following clause, or a similar one, that may be worked out if first approved by the Department of Industry, Labor and Human Relations:

"The contractor agrees that in the performance of this contract or in the performance of all subcontracts entered into by him, apprentices will be employed in accordance with the maximum ratio of apprentices to journeymen established by the Department of Industry, Labor and Human Relations in accordance with the attached Executive Order.