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HOUSE BILL NO. 1849

Offered January 13, 2021

Prefiled January 7, 2021

A BILL to amend the Code of Virginia by adding a section numbered 2.2-4312.1, relating to the Virginia Public Procurement Act; participation in apprenticeship training programs; required contract provisions.

Patron—Simonds

Referred to Committee on General Laws

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 2.2-4312.1 as follows:

§ 2.2-4312.1. Participation in apprenticeship training programs; required contract provisions.

A. All public bodies shall include in every contract for construction over $250,000 the following provisions:

1. During the performance of this contract, the contractor agrees to participate in an apprenticeship training program for each separate trade or classification program in which it employs construction employees.

Such program shall (i) be registered with the U.S. Department of Labor pursuant to 29 C.F.R. 29 or the state Apprenticeship Council pursuant to Chapter 6 (§ 40.1-117 et seq.) of Title 40.1 and (ii) have graduated apprentices to journeyman status for at least three of the past five years. Such program may be paid for directly by the contractor or through specifically allocated funds regulated by the Employee Retirement Income Security Act of 1974 (P.L. 93-406, 88 Stat. 829).

2. The contractor shall include the provisions of subdivision 1 in every subcontract over $50,000 so that such provisions will be binding upon each subcontractor.

B. Upon request by the public body, each contractor or subcontractor subject to the provisions of this section shall provide the public body with documentation demonstrating such contractor or subcontractor's compliance with such required contract provisions.