

## PUBLIC WORKS APPRENTICESHIP SUMMARY OF REQUIREMENTS

# THE BASICS – SUMMARY OF REQUIREMENTS

Compliance with California Labor Code §1777.5 requires all public works contractors to:

### 1. SUBMIT CONTRACT AWARD INFORMATION (DAS-140)

- Although there are a few exemptions (identified below), all contractors regardless of union affiliation (i.e. non-union & union alike) must submit contract award information when performing on a California public works project.
- The DAS-140 is simply a notification "announcement" of the contractor's participation on a public works project—*it is not a request for the dispatch of an apprentice.*
- Contractors shall submit the contract award information (you may use form DAS 140) within 10 days of the prime execution of the contract or subcontract, but in no event later than the first day in which the contractor has workers employed on the public work.
- Contractors who are already approved to train apprentices (i.e. check "Box 1" on the DAS-140) shall only be required to submit the form to their approved program.
- Contractors who are NOT approved to train apprentices (i.e. those that check either "Box 2" or "Box 3" on the DAS-140) shall submit the DAS-140 TO EACH of the apprenticeship program sponsors in the area of your public works project. For a listing of apprenticeship programs: <http://www.dir.ca.gov/Databases/das/pwaddrstart.asp>

### 2. EMPLOY REGISTERED APPRENTICES

- Labor Code 1777.5 requires that a contractor performing work in an "apprenticeable" craft must employ one (1) hour of apprentice work for every five (5) hours performed by a journeyman. This ratio shall be met prior to the contractor's completion of work on the project. *"Apprenticeable" crafts are denoted with a pound symbol "#" in front of the craft name on the prevailing wage determination.*
- All contractors who do not fall within an exemption category (listed below) must request for dispatch of an apprentice from an apprenticeship program (for each apprenticeable craft or trade) by giving the program actual notice of at least 72 hours (business days only) before the date on which apprentices are required.
- Contractors may use the "DAS-142" form for making a request for the dispatch of an apprentice.
- Contractors who are participating in an approved apprenticeship training program and who did not receive sufficient number of apprentices from their initial request must request dispatch of apprentices from ALL OTHER apprenticeship committees in the project area in order to fulfill this requirement.
- For a listing of apprenticeship programs in your project area: <http://www.dir.ca.gov/Databases/das/pwaddrstart.asp>
- Contractors should maintain & submit proof (when requested) of its DAS-142 submittal to the apprenticeship committees (e.g. fax transmittal confirmation). A contractor has met its requirement to employ apprentices only after it has successfully made a dispatch request to all apprenticeship programs in the project area.
- Only "registered" apprentices may be paid the prevailing apprentice rates and must, at all times work under the supervision of a Journeyman (CCR 230.1)

### 3. MAKE TRAINING FUND CONTRIBUTIONS

- Contractors performing in apprenticeable crafts on public works projects, must make training fund contributions in the amount established in the prevailing wage rate publication for journeymen and apprentices. This nominal fee contributes to the assurance that new apprentices coming into the craft will be guaranteed the highest level of training and as those skilled craftsmen retire, the trade will survive.
- Contractors may use the "CAC-2" form for submittal of their training fund contributions.
- Contractors who do not submit their training fund contributions to an approved apprenticeship training program must submit their contributions to the California Apprenticeship Council, PO Box 420603, San Francisco, CA 94142-0603.
- Training fund contributions to the CAC are due and payable on the 15th day of the month for work performed during the preceding month.
- The "training" contribution amount identified on the prevailing wage determination shall not be paid to the worker, unless the worker falls within one of the exemption categories listed below.



# EXEMPTIONS TO APPRENTICESHIP REQUIREMENTS

The following are exempt from having to comply with California apprenticeship requirements. Thus, these types of contractors do not need to submit a DAS-140, DAS-142, make training fund contributions, or utilize apprentices.

1. When the contractor holds a sole proprietor license ("**Owner-Operator**") and no workers were employed by the contractor. In other words, the contractor performed the entire work from start to finish and worked alone.
2. **Contractors performing in non-apprenticeable crafts** (e.g. Asbestos Abatement, Teamsters, Carpenter Housemover). "Apprenticeable" crafts are denoted with a pound symbol "#" in front of the craft name on the prevailing wage determination.
3. When the contractor has a **direct contract with the Public Agency** that is **under \$30,000**.
4. When the project is **100% federally-funded** and the funding of the project does not contain any city, county, and/or state monies (unless the project is administered by a state agency in which case the apprenticeship requirements apply).
5. When the project is a private project not covered by the definition of public works as found in Labor Code section 1720.

# APPRENTICESHIP RATIO EXCEPTIONS

The following are exceptions to the minimum 5-to-1 journeymen to apprentice hourly ratio as required by Labor Code 1777.5(g). The two exceptions below fall into a man-to-man ratio, thus hours performed each day are not determinative of whether the contractor is within ratio—the number of bodies being utilized is what counts each day.

- **OPERATING ENGINEER's craft in Southern California**
  - Applies to all Contractors (Union & non-union may take this exception)
  - Contractors are required to utilize a minimum ratio of not less than one (1) apprentice for each five (5) journeymen each day  
Operating Engineers Apprentice Ratio Exemption Request, Southern California - April 2011 
- **LABORER's craft in Southern California**
  - Applies only to contractors that participate in the Laborers Southern California Apprenticeship Program (i.e. Only contractors signatory to the Laborer's union & those that are approved to train with the Laborers JAC may take this exception)
  - Participating contractors are not required to hire an apprentice until there are four (4) journeymen on the jobsite each day  
Laborers Apprentice Ratio Exemption Request, Southern California - March 2011 

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For more information, see <http://www.dir.ca.gov/das/DASApprenticesOnPublicWorksSummaryOfRequirements.htm>