PORTLAND HOUSING BUREAU
Apprentice and Workforce Program
(Effective Date: November 5, 2025)

This program applies to contracts valued at $300,000 or greater and jobsite labor greater than 300 hours in any given trade

APPRENTICE AND WORKFORCE PROGRAM

I. DEFINITIONS

1. "BIPOC" means Individuals or groups identifying as Black, Indigenous and/or People of Color.

2. "The Contract" means the contract awarded as a result of these bid specifications.

3. "The Contractor" means the Contractor to whom a Contract is awarded by the Owner, and any subcontractors with subcontracts of $300,000 or more.

4. "The Owner" means the Project developer or sponsor that has leveraged City resources in the project through a loan, grant or development agreement.

5. "The Project" means all work performed pursuant to the Contract.

II. PURPOSE

The City of Portland recognizes the need to maximize apprenticeship and employment opportunities for workers in the construction trades through a concerted effort to connect its community members to the growing industry opportunities. The City's goals include: (a) ensuring that City contracting dollars provide fair and equal opportunities to all Portlanders, including the City's diverse populations; and (b) contracting with equitably aware and environmentally responsible businesses. Contractors shall make reasonable efforts to provide opportunities for, and remove barriers to, employment in its workforce for everyone, including BIPOC individuals and women, at all levels of its business. Contractors can make reasonable efforts to ensure that their workforce provides opportunities for everyone by recruiting, training and employing workers from the unions, apprenticeship programs, and community organizations.

III. CHECKLIST

For contracts of $300,000 or more and with jobsite labor of 300 hours or more in any given trade, Contractors must:

1. Submit a Workforce Plan (Exhibit 2) prior to submittal of first payroll report, or as otherwise designated. A copy of the Workforce Plan should be downloaded, filled out, and then uploaded into LCPtracker. The Plan should detail your approach and strategies to achieve the targeted apprentice and workforce goals established by PHB.

2. Before starting work on this project, confirm registration as a Training Agent with the Bureau of Labor & Industries (BOLI), Apprenticeship & Training Division. Not a BOLI registered training agent? Contact BOLI (971- 673-0760) for further information.

3. Ensure that a minimum of 20% of labor hours in each apprenticeable trade are worked by state registered apprentices. Contractors shall fulfill the 20% apprenticeship requirement without exceeding the apprentice ratios approved by the applicable apprenticeship program, if working more than 300 labor hours in any given trade.

4. For any new hires, document efforts to employ Section 3 Workers by seeking referrals as outlined in Exhibit M of the Agreement.

5. Provide opportunities for, and remove barriers to, employment in contractor's workforce for everyone, including BIPOC individuals and women, at both journey and apprentice level.

6. Make all reasonable and necessary efforts to provide workforce opportunities to all persons, including BIPOC individuals and women, in the City of Portland, which encompasses recruitment through the unions, the apprenticeship programs, and other community organizations, as described herein.

7. Maintain written documentation of all requests for workers from the unions, apprenticeship programs, and community organizations.

8. When an apprentice is hired: Notify the City's Contract Compliance Specialist assigned to the project.

9. Submit weekly payroll reports via the LCPtracker system no later than the 5th of each month.

IV. CONTRACT AMOUNT AND LABOR HOUR THRESHOLD EXAMPLES

Examples illustrating program thresholds of $300,000 contract value and 300 jobsite hours in any given trade:

Example 1

- $50,000 contract and the firm works more than 300 hours (in a given trade) on jobsite
- Triggers workforce requirements? **NO**
- Submit Workforce Plan for review? **NO**

Example 2

- $301,000 contract and the firm works less than 300 hours in a trade on jobsite
- Triggers workforce requirements? **NO**
- Submit Workforce Plan for review? **YES**

Example 3

- $301,000 contract and the firm works more than 300 hours in a trade on jobsite
- Triggers workforce requirements? **YES**
- Submit Workforce Plan for review? **YES**

Example 4

- $301,000 Tier 1 contract which subs out all labor to a Tier 2 subcontract of $120,000. The Tier 2 firm works less than 300 hours in a trade on the jobsite
- Triggers workforce requirements? **NO**
- Submit Workforce Plan for review? **YES** (both firms)
- The Tier 2 firm works more than 300 hours in a trade on the jobsite
- Triggers workforce requirements? **YES** (The Tier 1 contract amount combined with the Tier 2 work hours are the trigger)
- Submit Workforce Plan for review? **YES** (both firms)

For additional information or questions, please contact Lisa Vanlue at lisa.vanlue@portlandoregon.gov or (503) 823-8270; or Cathleen Massier at cathleen.massier@portlandoregon.gov or (503) 823-6888.

V. ACTIONS REQUIRED PRIOR TO BEGINNING THE PROJECT

The contractor shall submit, before submittal of the first payroll report, a Workforce Plan, which demonstrates how the workforce on this project will fulfill all program requirements, including utilization of apprentices. A copy of the Workforce Plan should be downloaded, filled out, and then uploaded into LCPtracker.

VI. ACTIONS REQUIRED TO SATISFY CONTRACTUAL OBLIGATIONS

A. Apprentice and Workforce Goals

The contractor will provide opportunities for, remove barriers to, and create an environment where workers, including BIPOC individuals and women, are retained, valued, and employed in its workforce at all levels of its business. This requirement is in addition to any other requirement of this portion of the Contract.

1. The contractor and its subcontractors with subcontracts of $300,000 or more, at any tier level should strive to achieve the workforce goals (including both journey level and apprentice workers) on the project.

2. Contractors must provide written documentation of its recruitment efforts.

3. Contractors must follow the process for hiring, requesting, recruiting, or replacing workers described in Section VI.

B. Ensure Compliance by Certain Subcontractors

1. The contractor shall ensure that each subcontractor having a subcontract of $300,000 or more, at any tier, shall comply with all the provisions of the Apprentice and Workforce Program specifications. Contractors shall include in their price, all costs associated with this requirement. No change order will be executed in order for the contractor to comply with the Apprentice and Workforce Program specifications.

2. The contractor shall provide a copy of these Apprentice and Workforce specifications to all subcontractors with contracts of $300,000 or more executed for the project.

C. Register as a Training Agent

The contractor shall register with the Oregon Bureau of Labor and Industries Apprenticeship and Training Division (BOLI) as a Training Agent and ensure that all subcontractors who have contracts in the amount of $300,000 or more and with jobsite labor of 300 hours or more are registered as Training Agents, prior to beginning work. Registration as a Training Agent in a specific trade is not required if there are no training opportunities in that trade on the project, based on the maximum ratio allowed by BOLI. Training Agent status may be verified by visiting the Apprenticeship and Training Division website.

1. Training programs approved by and registered with BOLI may be used to fulfill training requirements under the Apprentice and Workforce Program specifications. Other training alternatives must be approved by the City's Compliance Manager.

2. Training is intended to be primarily on-the-job training in apprenticeable crafts, and does not include classifications such as flag person, timekeeper, office engineer, estimator, bookkeeper, clerk/typist, fire fighter, or secretary. Hours performed in crafts, which are not apprenticeable occupations are exempt from the training requirements.

3. All requests to exempt all or any portion of work on the project must be approved by the City's Compliance Manager, in writing, 14 calendar days before work on the project begins. To submit an exemption request, complete the Exemption Form and submit along with a copy of the Workforce Plan. Written requests for exemptions related to the training requirements will be considered by the City only for extreme circumstances during the course of the project.

D. Documentation

The contractor shall submit documentation regarding the following subjects to the City. The City's failure to object to documentation submitted by the contractor or subcontractor shall not relieve them of the requirements of the Apprentice and Workforce Program specifications.

1. **Training Agent Status**
   The contractor and all required subcontractors listed on the Utilization Plan must submit proof to the Contract Compliance Specialist that they are registered Training Agents with BOLI prior to beginning any work on the project.

2. **Subcontractor Workforce Information**
   A Workforce Plan must also be submitted for each subcontractor with a contract of $300,000 or more, prior to submission of their first payroll report, or within 5 calendar days after the execution of the applicable subcontract, whichever occurs first. A copy of the Workforce Plan should be downloaded, filled out, and then uploaded into LCPtracker. Work by a subcontractor shall not begin prior to submission of such documentation.

3. **Contractor and Subcontractor Reporting After Work Begins**
   Weekly payroll reports must be submitted by the contractor and any subcontractor having a subcontract of $300,000 or more, via LCPtracker, no later than the 5th of each month and will be used to track attainment toward PHB's apprentice and workforce goals. All hours subject to prevailing wage rates on public projects, in addition to supervisors, foremen and superintendents, shall be reported.

Contractors wishing to use LCPtracker to file a certified copy of their payroll report (WH-38) must print a copy of the CPR Report by State, which can be found in the Reports tab in LCPtracker. Once printed, fill out the missing schedule information, sign the certified statement, and submit as required.

E. Use of Apprentices

The Contractor shall:

1. Ensure that a minimum of 20% of labor hours in each apprenticeable trade performed on the project by the contractor, and subcontractors with subcontracts of $300,000 or more and with jobsite labor of 300 hours or more, in any given trade, are worked by state registered apprentices throughout the duration of the project. The contractor and subcontractors shall fulfill the 20% apprenticeship requirement without exceeding the apprentice ratios approved by the applicable apprenticeship program.

2. Pay all apprentices the wages required by any applicable collective bargaining contract or pursuant to state or federal law and regulations.

3. Not use workers previously employed at journey-level or those who have successfully completed a training course leading to journey-level status to satisfy the requirements of these provisions.

4. Notify the Contract Compliance Specialist when an apprentice is hired for the project.

5. Count apprentice hours as follows:

    a. Hours worked on the project by apprentices enrolled in state-approved apprenticeship programs. If the contractor is unable to fulfill its 20% requirement, then the contractor may also use methods (b) and (c) below;

    b. Hours worked on the project by apprentices who are required to be away from the job site for related training during the project, but only if the apprentice is rehired by the same employer after completion of training; and

    c. Hours worked on the project by graduates of state-registered apprenticeship programs, provided that such hours are worked within the 12-month period following the apprentice's completion date.

F. Hiring, Requesting, Recruiting, or Replacing Workers

Contractors must follow all of these steps when hiring, requesting, recruiting, or replacing workers:

For Apprentices:

1. Using the Worker Request Form, contact the appropriate apprenticeship program or dispatch center to request apprentices who are enrolled in the apprenticeship program; and

2. Using the union or open shop apprenticeship program, to create partnerships with community programs to help Portlanders, including BIPOC individuals and women, enter the trades.

3. If the apprenticeship program is unable to supply an apprentice for dispatch and if the program is open for applications or allows direct entry from the Oregon Employment Division, make reasonable and necessary efforts to recruit apprentice applicants from WorkSource at the Oregon Employment Department, and seek to enroll them into an apprenticeship program.

WorkSource Oregon is Oregon's largest source for job-ready applicants:

- Recruitment Services are local, statewide, and nationwide
- Computerized job match system matches applicants to job qualifications
- On-the-job training resources available to offset cost of new hires
- Go to: www.imatchskills.org or call 503-257-HIRE

For All Workers:

1. Will provide opportunities for everyone, including BIPOC individuals and women, and remove barriers in hiring, requesting, recruiting, or replacing workers. Contractors are notified that direct hiring of employees (such as "walk-ons") without providing notification of that job opportunity may not be sufficient to establish the contractor's efforts to satisfy this requirement; and

2. Document employment efforts. Use the Worker Request Form to keep a written record of requests to:

    a. Union halls for signatory contractors;

    b. Union or open shop apprenticeship programs;

c. The Oregon Employment Department. Go to: www.imatchskills.org or call 503- 257-HIRE; and

d. State-registered pre-apprenticeship programs: http://www.oregon.gov/BOLI/ATD/pages/a_ag_partners.aspx

3. Documentation will be requested by the City if a contractor is not following their Workforce Plan or meeting the apprentice goals, or if it appears that the contractor has not made reasonable and necessary efforts. When requested, the contractor shall provide that documentation to the Contract Compliance Specialist within 7 calendar days.

NOTE: Contractors may contact the Contract Compliance Specialist for assistance related to any of the above issues.

VII. CONSEQUENCES OF NONCOMPLIANCE WITH APPRENTICE AND WORKFORCE PROGRAM REQUIREMENTS

The City's commitment to this program is reflected, in part, by the cost of administering the program. Failure to meet the requirements of this section of the specifications negates such funding and impairs the City's efforts to promote and to provide fair and equal opportunities to the public as a whole as a result of the expenditure of public funds. Therefore, the parties mutually agree that failure to meet the requirements of this section of the specifications, including but not limited to the submission of required documentation, constitutes a material breach of the Contract.

If a Project Team is unable to meet PHB Apprentice and Workforce Program Goals, they will be asked to submit an Exemption Form, see list of resources at the end of this document.

In the event of a breach of this section of the Contract, the City/PHB may take any or all of the following actions:

A. Withholding Progress Payments

The City/PHB may withhold all or part of any progress payment or payments until the contractor has remedied the breach. In the event that progress payments are withheld, the contractor shall not be entitled to interest on said payments.

If a subcontractor(s) is responsible for noncompliance with the Apprentice and Workforce Program requirements, the City may choose to withhold only their portion of the progress payment.

B. Damages For Failure to Comply

The parties mutually agree that it would be difficult, if not impossible, to assess the actual damage incurred by the City for the contractor's failure to comply with the Apprentice and Workforce Program specifications. The parties further agree that it is difficult, if not impossible, to determine the cost to the City when workforce opportunities are not provided. Therefore, if the Owner or contractor fails to comply with the Apprentice and Workforce Program provisions of this Contract, the Owner agrees to pay the sum of $250 per day for each day of missed apprenticeship hours or until the breach of Contract is remedied. Damages may be assessed for failure to meet the 20% apprenticeship training requirements by the contractor and each required subcontractor in each trade employed. Damages will be calculated based on the training hours not provided at a rate of $250 per day. For example, if the contractor was required to provide 200 hours of carpenter training (20% of 1,000 total carpenter hours), and the contractor only provided 150 training hours, then the difference (50 hours) is divided by 8 (one day of work) to determine the number of days of undelivered training. (50/8 = 6.25 x $250 = $1,562.5).

Damages may also be assessed for failure to fulfill the inclusive hiring process described in Section III, Subsection G.

These damages are independent of any liquidated damages that may be assessed due to any delay in the project caused by the contractor's failure to comply with the Apprentice and Workforce Program provisions of the Contract.

C. Liquidated Damages

The contractor agrees that any delay to the specified contract time as a result of the contractor's failure to comply with the requirements of these specifications shall subject the contractor to the amount of liquidated damages specified elsewhere in the Agreement.

D. Debarment

By executing this Agreement, the contractor agrees that it has been notified that failure to comply with the requirements of this portion of the Agreement may lead to the Owner's disqualification from bidding on and receiving other PHB contracts.

E. Other Remedies

The remedies that are noted above do not limit any other remedies available to the Ciyt/PHB in the event that the Owner or contractor fails to meet the requirements of the Apprentice and Workforce Program specifications.

VIII. REVIEW OF RECORDS

In the event that the City/PHB reasonably believes that a violation of the requirements of the Apprentice and Workforce Program specifications has occurred, the City/PHB is entitled to review the books and records of the contractor and any subcontractors employed on the project to which the requirements of these specifications are applicable to determine whether such a violation has or has not occurred.

In the event that the contractor or any subcontractor fails to provide the books and records for inspection and copying when requested, such failure shall constitute a material breach of this Contract and permit the imposition of any of the remedies noted in Section IV above, including the withholding of all or part of any progress payment.

ATTACHMENTS:

Recommended Recruitment & Retention Practices

RESOURCES:

Copies of all required forms, including the Workforce Plan, Worker Request Form, and Exemption Form can be downloaded in the labor compliance reporting system.

For information on State-Approved Apprenticeship Programs and a list of community resources to help with the recruitment of workers visit the Bureau of Labor and Industries, Apprenticeship and Training Division's website.

If you have questions after reading the information contained herein and visiting the resources above, please contact Lisa Vanlue at lisa.vanlue@portlandoregon.gov or (503) 823-8270; or Cathleen Massier at cathleen.massier@portlandoregon.gov or (503) 823-6888.

RECOMMENDED RECRUITMENT AND RETENTION PRACTICES

A. Recruitment Efforts

Recruitment efforts are those sincere, and result-oriented actions taken by the contractor and subcontractors to accomplish the objectives of the Apprentice and Workforce provisions. Recruitment efforts include, but are not limited to:

1. Work with contractor's Joint Apprenticeship Training Committee (JATC) to encourage recruitment opportunities for all community members, including BIPOC individuals and women, for existing or future job opportunities.

2. Assist the JATC by conducting a workshop with community organizations and employees, including BIPOC and women employees, to enlist and request their ideas on how to increase employment of underutilized groups.

3. Support the efforts of the contractor's JATC by giving all apprentices referred to the contractor a fair chance to perform successfully, allowing for possible lack of previous experience. Recognize that the contractor is responsible for providing on- the-job training, and that all apprentices should not be expected to have previous experience.

4. Participate in job fairs, school-to-work and community events to recruit all workers, including BIPOC individuals and women, into the construction trades.

5. Allow scheduled job site visits by participants in community programs, as safety allows, increasing awareness of job and training opportunities in the construction trades.

6. Keep applications of those not selected for an opening. Contact when opening occurs.

B. Retention Efforts

The contractor and subcontractor shall endeavor to retain all workers, including BIPOC individuals and women, by implementing steps such as the following:

1. Maintain a harassment-free workplace.

2. Ensure that employees are knowledgeable about the company's policies if they need to report a harassment problem.

3. Make reasonable attempts to keep apprentices working and train them in all work processes described in the apprenticeship standards.

4. Review and disseminate, at least annually, the company's EEO policy under these specifications with all employees having any responsibility for hiring, assignment, layoff, termination, or other employment decisions.

5. Conduct a review, at least annually, of all supervisors' adherence to and performance under the contractor's EEO policies.

6. Take steps to reduce feelings of isolation for all workers, including BIPOC individuals and women, to curb hostile attitudes and behavior (e.g., provide access to support group system).

7. Provide adequate toilet facilities for all workers, including women and nonbinary people, on the job site.

8. Match apprentices who may need support to complete their apprenticeship programs with a journey-level mentor.