

## RESOLUTION NO. 79

### REQUIRING CONTRACTORS AND SUBCONTRACTORS ON ALBANY COUNTY CONSTRUCTION PROJECTS OF \$100,000 OR MORE TO PROVIDE APPRENTICESHIP TRAINING PROGRAMS

Introduced: 2/12/18

By Messrs. Signoracci, Clenahan, Miller and R. Joyce:

WHEREAS, there is a long and productive history of partnership between labor and management for the training of skilled craft workers in New York State, and

WHEREAS, the promotion of apprenticeship training programs expands the pool of skilled workers by providing many residents the means to earn a decent living and creates opportunities for residents, thereby fostering the local economy, and

WHEREAS, the New York State Legislature enacted Section 816-b of the Labor Law to authorize governmental entities to require construction contractors and/or subcontractors to participate with an apprenticeship program registered with the New York State Department of Labor as a pre-condition to entering into a construction contract with such governmental entities; and

WHEREAS, these apprenticeship programs are a valuable tool to provide training opportunities for young people in the skilled construction trades and help them secure a promising future, and

WHEREAS, it is in the best interest of Albany County to afford opportunities for training in the appropriate building trades on Albany County construction projects, and it is in taxpayers' best interests to ensure the apprenticeship programs being utilized produce high-quality, cost-effective services and provide a real path into a middle-class career; and now, therefore be it

RESOLVED, that Albany County hereby re-establishes and clarifies its policy to promote apprenticeship training as authorized by Section 816-b of the New York State Labor Law, and, be it further

RESOLVED, that only contractors and subcontractors who participate in a New York State registered apprenticeship program shall be eligible to perform public work on any construction project exceeding One Hundred Thousand Dollars (\$100,000.00), in the aggregate, to which Albany County is a direct or indirect party, and such contractor and subcontractor must provide proof of such apprenticeship participation before entering into a construction contract concerning

such project with Albany County or a third party acting on behalf of Albany County; and be it further

RESOLVED, the term “construction contract” shall mean any contract to which Albany County is a direct or indirect party which involves the construction, reconstruction, improvement, rehabilitation, installation, alteration, renovation, demolition, or otherwise providing for any building, facility or physical structure of any kind; and, be it further

RESOLVED, that “participate” or “participation” in a New York State registered apprenticeship program shall mean that the contractor or subcontractor (a) is a signatory to a collective bargaining agreement with a labor organization which sponsors an apprenticeship program registered with the New York State Department of Labor; (b) individually sponsors an apprenticeship program registered by the New York State Department of Labor; or (c) is signatory to or is otherwise bound by a project labor agreement covering the project which provides for referral of apprentices. In all cases, such apprenticeship program must be specific to the type and scope of work which is being performed and must have a graduation rate of at least thirty percent (30%), as determined by the New York State Department of Labor; and be it further

RESOLVED, that if any clause, sentence, paragraph, section or part of this Resolution or application thereof to any individual, corporation, entity or circumstance shall be adjudged by any Court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair or invalidate the remainder thereof; and, be it further

RESOLVED, that this Resolution shall take effect immediately, and, be it further

RESOLVED, That the Clerk of the Albany County Legislature is directed to forward certified copies of this resolution to the appropriate Albany County Officials.

*Referred to Law and Audit and Finance Committees - 2/12/18*