

City of Santa Cruz, CA

3.10.010 LOCAL EMPLOYMENT.

The city council of the city of Santa Cruz hereby finds that:

(1) Unless such a provision would conflict with a state or federal law or regulation applicable to a particular contract for public works or improvements, all city contracts for public works or improvements of estimated value of greater than the formal bid limit shall contain provisions pursuant to which the contractor promises to make a good-faith effort, with the assistance of local labor union hiring halls or community organizations designated by the city to employ qualified individuals who are, and have been for one year prior to the effective date of the contract, residents of the county of Santa Cruz in sufficient numbers so that no less than fifty percent of the contractor's total construction work force, including any subcontractor work force, measured in labor work hours, is comprised of Santa Cruz County residents.

(2) Unless such provision would conflict with a state or federal law or regulation applicable to a particular contract for a public works project, all city contracts for a public works project referenced in subsection (1) shall contain provisions pursuant to which each contractor or subcontractor shall make a good faith effort to employ apprentices who are enrolled in and participating in a viable apprenticeship program serving the Monterey Bay Area and approved by the State Department of Apprenticeship Standards. This apprenticeship requirement shall apply for each apprenticable craft or trade in which the contractor employs workers in performing any of the work under the contract.

(a) If, in response to a written request made at least 48 hours (excluding Saturdays, Sundays and holidays) before the date on which one or more apprentices are required, an apprenticeship program(s) does not dispatch any apprentice or dispatches fewer apprentices than requested to a contractor (that has agreed to employ and train apprentices in accordance with California Labor Code section 1777.5) within 72 hours of such request (excluding Saturdays, Sundays and holidays), that contractor shall be considered in compliance with the apprentice employment requirement for that trade or craft for a ninety day period from the request date, provided the contractor employs those apprentices who are dispatched. Where there is more than one viable apprenticeship program for that trade or craft serving the Monterey Bay Area, a contractor, that is not a participant in or an affiliate of an apprenticeship program and receives fewer apprentices dispatched than requested, shall not be considered in compliance with the apprentice employment requirement unless the contractor has made a written request for the dispatch of apprentices from at least two viable apprenticeship programs. A contractor, that is a participant in or an affiliate of an apprenticeship program, shall make dispatch requests to the program in which it is affiliated or participating.

(b) In the event that no viable apprenticeship program exists for a particular craft or trade, the contractor shall be exempt from the requirements of this chapter with regard to that craft or trade.

(c) A contractor employing apprentices pursuant to this section shall employ apprentices in a ratio of not less than one apprentice for each five journeymen in the apprenticeship craft or trade classification that are employed on the public work contract unless to do so would result in apprentice employment in ratios below the minimum ratios prescribed by California Labor Code section 1777.5 in which case apprentice employment shall be at least in the ratios prescribed by California Labor Code section 1777.5.

(d) This section shall not be construed so as to exempt a contractor from any otherwise applicable requirement imposed upon the contractor by the California Labor Code.

(Ord. 2004-22 § 1, 2004: Ord. 2002-44 (part), 2002: Ord. 2002-08 § 1, 2002: Ord. 96-29 § 1 (part), 1996).

Website

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