FOUNDATION FOR FAIR CONTRACTING
OF CONNECTICUT, INC.

1268 Main St., Suite 202
Newington, CT 06111

General Law Committee
Public Hearing

March 5, 2020

Re: SB 13 - *An Act Expanding Economic Opportunity in Licensed Occupations*

Chairman D'Agostino, Chairman Maroney, Ranking Member Witkos, Ranking Member Cheeseman and members of the General Law Committee,

The Foundation for Fair Contracting of Connecticut (FFC) is a non-profit organization created by labor and management in order to monitor all public works construction projects covered under the Connecticut General Statutes Section 31-53 and the Davis-Bacon Act. We accomplish this by reviewing public documents prepared and/or submitted by the owner and contractor(s). We focus on licensing, proper payment of prevailing wage rates, proper classification of workers and properly administered state apprenticeship standards.

The FFC is submitting this testimony in **strong opposition** of SB 13 "*An Act Expanding Economic Opportunity in Licensed Occupations*".

Section 3, subsection (b).

> "In addition to the registered apprentices permitted under the allowable hiring ratios regarding apprentices specified in subsection (a) of this section, a registered apprenticeship sponsor may hire (1) one last-year apprentice, provided such apprentice bears a last-year apprentice identification card issued pursuant to section 31-22r, as amended by this act, or (2) one preapprentice, as defined in subparagraph (D) of subdivision (4) of subsection (c) of section 31-23. Regardless of any established hiring ratio, the work site ratio shall not be less than one full-time licensee instructing and supervising the work of each apprentice in a specific trade.

While we can probably support No. (1) of this section, we certainly oppose No. (2). We are encouraged by the administration's and this legislature's support of registered apprenticeship programs. The building trades unions founded their apprenticeship programs over a hundred years ago. They have been successfully training the next generation of skilled craftsmen and craftswomen. But let us be clear – apprenticeship programs only work when there's a path to completion. Just trying to enroll more people into apprenticeships does not equate to workforce development. There must be a commitment to ensuring that apprentices complete their apprenticeship programs and become a journeyperson or licensed practitioner in their field.

No. (1) of this section shows a commitment to seeing an apprentice through their program. Allowing a contractor to hire an additional apprentice beyond the statutorily prescribed ratio can

be accepted if that additional apprentice is in their final year. It shows that the contractor is committed to ensuing that final-year apprentice earns the on-the-job training hours necessary for completion. However, No. (2) could have a more adverse outcome. We need to make sure that no contractor can use a preapprentice for cheap labor when there is no commitment to providing an actual apprenticeship, and to completing said apprenticeship. Preapprentices are paid less than first year apprentices. Just hiring someone and calling them a preapprentice shows no real commitment to our state-registered apprenticeship programs or to the integrity of our programs. For safety's sake, and in order to protect 'preapprentices' from predatory hiring practices, we urge this committee to wholly reject No. (2) of section 3 of SB 13.

Section 4.

> "Notwithstanding any other provision of the general statutes, any initial or didactic training, continuing related instruction or similar classroom-based education required prior to the issuance or renewal of an occupational or professional license, permit, certification or registration may be completed via the Internet or distance learning. Nothing in this section shall be construed to apply to educational requirements that include hands-on or clinical training, site visits or other experiential learning opportunities."

Allowing classroom instruction to be conducted remotely could be dangerous for the construction trades. Nearly all classroom training includes some hands-on instruction. And while we recognize that the language in section 4 excludes hands-on, it is very difficult for instructors or apprentice coordinators to indicate which sections of their curriculum could be done remotely versus in the classroom. Before the administration or this committee decides which parts of the construction trades curriculum could be taught remotely, we encourage the proponents of SB 13 to visit training centers and sit with instructors to better understand what their classroom instruction actually entails.

Section 8, subsections (a)(1-4).

> (a) An occupational or professional license, permit certification or registration shall be issued, in the occupation or profession applied for and at a practice level determined by the department having oversight of such licenses, permits, certifications or registrations, to a person who establishes residence in this state or who is married to an active duty member of the armed forces of the United States and accompanies that member, pursuant to an official permanent change of station, to a military installation located in this state if:
> (1) The person holds a valid license, permit, certification or registration in at least one other state in the occupation or profession applied for;
> (2) The person has held such license, permit, certification or registration for not less than two years;
> (3) The person is in good standing in all states in which he or she holds a license, permit, certification or registration and has not had a license, permit, certification or registration revoked or discipline imposed by any state, does not have a complaint, allegation or investigation related to unprofessional conduct pending in any state, and has not voluntarily surrendered a license, permit, certification or registration while under investigation for unprofessional conduct in any state;
> (4) The person takes and passes any examination required of other applicants for the license, permit, certification or registration;

This entire section is extremely problematic for Connecticut's construction industry. What this means is that any license holder in any state in the country, who has held that license for two consecutive years, can come to Connecticut and sit for a licensing exam here. And while this may look like good policy on its face, in practice it will undermine the integrity and legislative intent of our occupational licenses. Our licensed construction trades are some of the most dangerous jobs in the country, and some suffer very high fatality rates, even amidst all the training and instruction. We aim to keep workplace injuries and fatalities as low as humanly possible. And we also aim to keep the general public as safe as possible. Strong licensing requirements and strong licensing standards help to that aim.

Every state has their own building codes. One may not need to know how to lay pipe in the frozen ground in southern California. But our codes here in Connecticut dictate that a plumber has that training and experience.

This section is a solution in search of a problem. Rather than water down our licensing standards, we urge the administration and this committee to carve the licensed construction trades out of Section 8 altogether.

We recognize the administration's and this committee's commitment to economic development in Connecticut. We understand that apprenticeship programs, when executed properly, can be a tool to spur more workforce development. And we also believe that our occupational licensing standards are a tool to promote training and safety in the licensed construction industries. There are proposals in SB 13 that may translate better to other industries or other fields. But construction is unique. In order to protect our industry, we ask that this committee safeguard our apprenticeship and occupational licensing standards.

Therefore, we urge this committee to reject SB 13, or to work with the stakeholders on substitute language.

Respectfully Submitted,

Kimberly Glassman
Director