

Summary of Selected Skilled and Trained Workforce (STW) Statutes – Last Updated 10/3/2019

EDUCATION CODE (EDC) PROVISIONS

EDC Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate? ¹	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate <i>if</i> the project is not a public work? ²	Sunset/ Repeal Date (if applicable)
EDC § 17250.25 (EDC § 17250.10 <i>et seq.</i>) A.B. 1358 (2015)	School Districts “Design-Build” Contracts in excess of \$1,000,000 (EDC § 17250.20)	For a design-build entity to be prequalified or shortlisted by a school district, it must provide an enforceable commitment to the school district that the entity and its contractors at every tier will meet the STW requirements of PCC section 2600 <i>et seq.</i> (EDC § 17250.25(c)(1).) This requirements does not apply if certain types of <i>project labor agreements</i> are in place. (EDC § 17250.25(c)(2).)	Yes (EDC § 17250.25 (c)(1))	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (EDC § 17250.25 (c)(1)), PCC §§ 2600(a), 2603 (CWPA’s and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	January 1, 2025 (EDC § 17250.55)
EDC §§ 17406, 17407.5 (EDC § 17400 <i>et seq.</i>) A.B. 566 (2015)	School Districts “Lease-Leaseback” (EDC § 17406)	To enter into a “lease-leaseback agreement” (where construction will occur on land owned by the school district) under EDC section 17406 (<i>i.e.</i> permitting a school district to lease a site to a contractor for \$1 per year so the contractor can perform construction on that site of a building that will be used by the district), the school district’s governing board must enter into an enforceable commitment with the lease-leaseback entity that the STW requirements of PCC section 2600 <i>et seq.</i> will be complied with. (EDC § 17407.5(a).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (EDC § 17407.5(b).)	Yes. (EDC § 17407.5(a))	Yes (EDC § 17424)	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (EDC § 17407.5(a), PCC §§ 2600(a), 2603 (CWPA’s and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> No. May be enforced by other means, such as a court action.	There are two versions of EDC section 17406, one of which is operative until July 1, 2022, and another which is operative on and after July 1, 2022.

¹ For all statutes, all of the Prevailing Wage Law (“PWL”) requirements apply if the project qualifies as a “public work” under Labor Code § 1720 *et seq.*

² “CWPA” means a Civil Wage and Penalty Assessment issued pursuant to Labor Code section 1741.

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EDC §§ 17407, 17407.5 (EDC § 17400 <i>et seq.</i>) A.B. 566 (2015)	School Districts Lease to Own (EDC § 17407)	To enter into a “lease-to-own agreement” (where construction will occur on land not yet owned by the school district) under EDC section 17407 (<i>i.e.</i> where both the site and facilities to be constructed will be leased to the district under a single lease), the governing board of the school district must enter into an enforceable commitment with the lease-to-own entity that the STW requirements of PCC section 2600 <i>et seq.</i> will be complied with. (EDC § 17407.5(a).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (EDC § 17407.5(b).)	Yes (EDC § 17407.5(a))	Yes (EDC § 17424)	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (EDC § 17407.5(a), PCC §§ 2600(a), 2603 (CWPA and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> No. May be enforced by other means, such as a court action.	There are two versions of EDC section 17407, one of which is operative until January 1, 2019 and another which is operative on and after January 1, 2019.
EDC § 17407.7 (EDC §17400 <i>et seq.</i>) and EDC § 1048 (EDC § 1040 <i>et seq.</i>) A.B. 591 (2017)	County: Board of Education, Office of Education, and Superintendent of Schools “Lease-Leaseback” and “Lease-to-Own” (EDC §§ 1040, 17407.7)	If the county board of education, county office of education, or county superintendent of schools leases to any person firm or corporation, under what is commonly known as a “lease-leaseback” or “lease-to-own” agreement, any any real property that belongs to the county office of education or a school district, and requires the lessee to construct on the demised premises or provide for the construction of a building for use by the county office of education or school district, the affected entity must comply with <i>all</i> the requirements — including the STW requirements of PCC section 2600 <i>et seq.</i> — applicable to the governing board of a school district pursuant to EDC sections 17406, 17407, and 17407.5. (EDC §§ 1048, 17407.7.) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (EDC § 17407.5(b).)	Yes (EDC §§ 1048, 17407.7, 17407.5(a))	Yes (EDC § 17424)	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (EDC §§ 1048, 17407.7, 17407.5(a), PCC §§ 2600(a), 2603 (CWPA and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> No. May be enforced by other means, such as a court action.	See Sunset and Repeal Dates of EDC sections 17406 and 17407, as applicable, <i>above</i> .

GOVERNMENT CODE (GOV) PROVISIONS

GOV Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate?	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate if the project is not a public work?	Sunset/Repeal Date (if applicable)
<p>GOV § 65913.4 (GOV § 65913 <i>et seq.</i>)</p> <p>S.B. 35 (2017)</p>	<p>Streamlined Housing Development Approvals by a Local Government (S.B. 35)</p> <p>(GOV § 65913.4(a))</p>	<p>To take advantage of S.B. 35’s streamlined approval procedures, applicants must certify that a skilled and trained workforce shall be used to complete the development if the application is approved and the development meets <u>any</u> of the following (GOV § 65913.4(a)(8)(B)(i)):</p> <ul style="list-style-type: none"> • <u>From 1/1/18 to 12/31/2012</u>: The development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more. • <u>From 1/1/22 to 12/31/25</u>: The development consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more. • <u>From 1/1/18 to 12/31/19</u>: The development consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is located in a coastal or bay county. • <u>From 1/1/20 to 12/31/21</u>: The development consists of more than 50 units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county. • <u>From 1/1/22 to 12/31/25</u>: The development consists of more than 25 units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county. <p>No skilled and trained workforce requirement if project has 10 or fewer units as is not a “public work” per Labor Code § 1720 <i>et seq.</i> (GOV § 65913.4(a)(8)(C).)</p>	<p>Yes (GOV § 65913.4(a)(8)(B)(ii))</p>	<p>Yes (GOV §65913.4(a)(8)(A)(i))</p>	<p><u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes, unless “project labor agreement” meets statutory requirements. (GOV § 65913.4(a)(8)(B)(iii)(III)-(IV).) Otherwise, CWPA and debarment procedures for STW violations in PCC § 2603 apply. (PCC § 2603(I).)</p> <p><u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> Yes, unless “project labor agreement” meets statutory requirements. (GOV § 65913.4(a)(8)(A)(ii)(IV)-(V).)</p>	<p>January 1, 2026 (GOV § 65913.4(k))</p>

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GOV § 66201 (GOV § 66200 <i>et seq.</i>) A.B. 73 (2017)	Housing Sustainability Districts Approved by a Local Government (A.B. 73) (GOV § 66201(a))	<p>To take advantage of the creation of a Housing Sustainability District, the applicant must certify that a skilled and trained workforce shall be used to complete the development if the application is approved and the development meets <u>any</u> of the following (GOV § 66201(f)(4)(B)(i)):</p> <ul style="list-style-type: none"> • <u>From 1/1/18 to 12/31/2012</u>: The project consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more. • <u>From 1/1/22 to 12/31/25</u>: The project consists of 50 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction located in a coastal or bay county with a population of 225,000 or more. • <u>From 1/1/18 to 12/31/19</u>: The project consists of 75 or more units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is located in a coastal or bay county. • <u>From 1/1/20 to 12/31/21</u>: The project consists of more than 50 units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal or bay county. • <u>From 1/1/22 to 12/31/25</u>: The project consists of more than 25 units that are not 100 percent subsidized affordable housing and will be located within a jurisdiction with a population of fewer than 550,000 and that is not located in a coastal bay county. <p>No skilled and trained workforce requirement if project has 10 or fewer units as is not a “public work” per Labor Code § 1720 <i>et seq.</i> (GOV § 66201(f)(4)(C).)</p>	Yes (GOV § 66201(f)(4)(B)(ii))	Yes (GOV § 66201(f)(4)(A))	<p><u>Use of Skilled and Trained Workforce:</u> Yes, unless “project labor agreement” meets statutory requirements. (GOV § 66201(f)(4)(B)(iii)(III)-(IV).) Otherwise, CWPA and debarment procedures for STW violations in PCC § 2603 apply. (PCC § 2603(l).)</p> <p><u>Prevailing Wage Rate If Not Public Work:</u> Yes, unless “project labor agreement” exception applies. (GOV § 66201(f)(4)(A)(ii)(IV)-(V).)</p>	N.A

HEALTH and SAFETY CODE (HSC) PROVISIONS

HSC Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate?	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate if the project is not a public work?	Sunset/ Repeal Date (if applicable)
<p>HSC § 25536.7 (HSC § 25531 <i>et seq.</i>)</p> <p>S.B. 54 (2013)</p>	<p>Owner or operator of a stationary source (“oil refinery”) (S.B. 54)</p> <p>(HSC § 25536.7(a))</p>	<p>An owner or operator of a stationary source (“oil refinery”), when contracting for the performance of construction, alteration, demolition, repair, or maintenance work at the stationary source, must require that its contractors and subcontractors use a skilled and trained workforce to perform all “onsite work” within an apprenticeable occupation within the building and construction trades. (HSC § 25536.7(a).) “Onsite work” does not include catalyst handling and loading, chemical cleaning, or inspection and testing that was not within the scope of a prevailing wage determination issued by the Director of Industrial Relations as of January 1, 2013. (HSC § 25536.7(b)(7).)</p> <p>Does not apply to oil and gas extraction operations. (HSC § 25536.7(a).) Does not apply to contracts awarded before January 1, 2014, unless the contract is extended or renewed after that date. (HSC § 25536.7(a)(4).) Does not apply to the employees of the owner or operator of the stationary source or prevent the owner or operator of the stationary source from using its own employees to perform any work that has not been assigned to contractors while the contractor’s employees are present and working. (HSC § 25536.7(a)(5)(A).)</p>	<p>No, S.B. 54 has its <i>own definition</i> of a Skilled and Trained Workforce. See HSC § 25536.7(b) (for S.B. 54 STW definition); HSC § 25536.7(b) (11) (for STW ratio).</p>	<p>Yes. See HSC § 25536.7 (b)(10) (requiring prevailing wages for skilled journeypersons); HSC § 25536.7(b)(8) (defining prevailing wage).</p>	<p>No</p>	<p>N.A.</p>

PUBLIC CONTRACT CODE (PCC) PROVISIONS

PCC Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate?	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate if the project is not a public work?	Sunset/ Repeal Date (if applicable)
<p>PCC §§ 2600-2603 (Chapter 2.9, Part 1, Division 2)</p> <p>A.B. 3018 (2018)</p>	<p>Public entities required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project. (PCC § 2600(a).)</p>	<p>If a public entity is required by statute or regulation to obtain an enforceable commitment that a bidder, contractor, or other entity will use a skilled and trained workforce to complete a contract or project, then a “skilled and trained workforce” that meets the requirements of this Chapter 2.9 must be used. For an explanation of this definition, please see Skilled and Trained Workforce FAQs.</p>	<p>This <i>is</i> the STW definition at PCC section 2600 <i>et seq.</i> See, e.g., PCC § 2601(d) (STW ratios); PCC § 2603 (DLSE enforcement provisions.)</p>	<p>No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i></p>	<p><u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PCC §§ 2600(a), 2603 (CWPA’s and debarments)).</p> <p><u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.</p>	<p>N.A.</p>
<p>PCC § 10191 (PCC § 10187 <i>et seq.</i>)</p> <p>S.B. 785 (2014)</p>	<p>Design-Build Projects over \$1,000,000, excluding projects on the state highway system (PCC § 10188(a), § 10191). Dept. of General Services, Military Dept., and Dept of Corrections and Rehabilitation; for projects at the Salton Sea, Dept. of Water Resources. (PCC § 10187.5(c)).</p>	<p>A design-build entity shall not be prequalified or shortlisted unless the entity provides an enforceable commitment to the director (<i>i.e.</i> as applicable, Director of General Services for the Department of General Services, Adjutant General for the Military Department, Secretary of the Department of Corrections and Rehabilitation) that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PCC § 10191(c)(1).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 10191(c)(2)(A).)</p>	<p>Yes (PCC § 10191(c)(1))</p>	<p>No but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i></p>	<p><u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PCC § 10191(c)(1), PCC §§ 2600(a), 2603 (CWPA’s and debarments))</p> <p><u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.</p>	<p>January 1, 2025 (PCC § 10196)</p>

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<p>PCC § 10506.9 (PCC § 10506.4 <i>et seq.</i>)</p> <p>A.B. 1424 (2017)</p>	<p>Best Value Construction Program for University of California Regents (Projects over \$1,000,000) (PCC § 10506.4(a))</p>	<p>Prohibits a best value contractor from being prequalified or shortlisted unless the best value contractor provides an enforceable commitment to the Regents of the University of California that the best value contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades, in accordance with specified skilled and trained workforce requirements. (PCC § 10506.6(c)(1).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 10506.6(c)(2).)</p>	<p>No. A.B. 1424 has its <i>own definition</i> of a Skilled and Trained Workforce. See PCC § 10506.8 (for STW definitions and ratios)</p>	<p>No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i></p>	<p><u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes. See PCC § 2603(l) (permitting CWPAs and debarments)</p> <p><u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.</p>	<p>N.A.</p>
<p>PCC § 20119.3 (PCC § 20119 <i>et seq.</i>)</p> <p>A.B. 1185 (2015)</p>	<p>Los Angeles Unified School District — Best Value Procurement (Projects over \$1,000,000) (PCC § 20119.2)</p>	<p>A best value entity shall not be prequalified or shortlisted unless the entity provides an enforceable commitment to the governing board that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PCC § 20119.3(b)(2).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 20119.3(b)(3).)</p>	<p>Yes (PCC §20119.3 (b)(2))</p>	<p>No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i></p>	<p><u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PCC § 20119.3 (b)(2); PCC §§ 2600(a), 2603 (CWPAs and debarments))</p> <p><u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.</p>	<p>January 1, 2021 (PCC § 20119.7)</p>

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PCC § 20146 (PCC § 20120 <i>et seq.</i>) A.B. 851 (2017)	Construction Manager-at-Risk Construction Contract (Projects in excess of \$1,000,000). Counties or public entities of which the members of the board of supervisors make up the members of the governing board of that public entity. (PCC § 20146(a), (b)(3))	A construction manager at-risk entity shall not be prequalified or shortlisted or awarded a contract unless the entity provides an enforceable commitment to the county that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PCC § 20146(c)(1).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 20146(c)(2).)	Yes (PCC § 20146(c)(1))	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PCC § 20146(c)(1); PCC §§ 2600(a), 2603 (CWPAs and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	January 1, 2023 (PCC § 20146(h))
PCC § 20155.4 (PCC § 20155 <i>et seq.</i>) S.B. 762 (2015)	Best Value Construction Contracting for Counties Pilot Program: Alameda, Los Angeles, Riverside, San Bernadino, San Diego, San Mateo, Solano, and Yuba (Projects in excess of \$1,000,000) (PCC § 20155(a))	Best value contractor shall not be prequalified or shortlisted unless the contractor provides an enforceable commitment to the county that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PCC § 20155.4(a).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 20155.4(b).)	Yes (PCC § 20155.4(a))	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PCC § 20155.4(a); PCC §§ 2600(a), 2603 (CWPAs and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	January 1, 2020 (PCC § 20155.9)

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PCC § 20175 (PCC §20160 <i>et seq.</i>) A.B. 851 (2017)	City of San Diego: Construction manager-at-risk construction contract for erection, construction, alteration, repair, or improvement of any building owned or leased by the city (Project in excess of \$25,000,000) (PCC § 20175(a))	A construction manager at-risk entity shall not be prequalified or shortlisted or awarded a contract unless the entity provides an enforceable commitment to the City of San Diego that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PCC § 20175(c)(1).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 20175(c)(2).)	Yes (PCC § 20175(c)(1))	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PCC § 20175(c)(1), PCC §§ 2600(a), 2603 (CWPA’s and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	January 1, 2023 (PCC § 20175(i))
PCC § 20928.2 (PCC § 20928 <i>et seq.</i>) A.B. 2551 (2016)	Irrigation Districts, County Water Districts, or Other Similar Water Districts: Surface Storage Project identified in CALFED Bay-Delta Program Record of Decision (Aug. 28, 2000), that receives funding under Water Code § 79700 <i>et seq.</i> (PCC §§ 20928.1, 20928.2).	A contracting entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the local agency that the entity and its subcontractors will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PCC § 20928.2(c).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 20928.2(c)(6).)	No, A.B. 2551 has its <i>own definition</i> of a skilled and trained workforce. <i>See</i> PCC § 20928.2 (c)(1) (for STW definitions and ratios).	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes. <i>See</i> PCC § 2603(l) (permitting CWPA’s and debarments) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	N.A.

PCC Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate?	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate <i>if</i> the project is not a public work?	Sunset/ Repeal Date (if applicable)
PCC § 22164 (PCC § 22160 <i>et seq.</i>) S.B. 785 (2014)	Local Agency (as defined by PCC § 22161(f)): Design-Build Projects, excluding projects on the state highway system (PCC § 22160(b)(1)). Generally applies to projects over \$1,000,000 (PCC § 22160(b)(1)). <i>However</i> , there is no cost threshold for projects that meet the requirements of PCC § 22162(b).	A contracting entity shall not be prequalified or short-listed unless the entity provides an enforceable commitment to the local agency that the entity and its subcontractors will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PCC § 22164(c)(1).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PCC § 22164(c)(2).)	Yes (PCC § 22164(c)(1))	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PCC § 22164(c)(1); PCC §§ 2600(a), 2603 (CWPA’s and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	January 1, 2025 (PCC § 22169)

PUBLIC UTILITIES CODE (PUC) PROVISIONS

PUC Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate?	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate <i>if</i> the project is not a public work?	Sunset/ Repeal Date (if applicable)
PUC § 388.2 (PUC § 388 <i>et seq.</i>)	Department of General Services or any other	An entity is not a qualified energy service company unless the entity has provided to the agency an enforceable commitment that the entity and its	No, this Energy Savings /	Yes. (PUC § 388.2(a)(9))	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u>	January 1, 2020 (PUC § 388.2(h))

PUC Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate?	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate <i>if</i> the project is not a public work?	Sunset/ Repeal Date (if applicable)
	State or Local Agency intending to enter into an Energy Savings Contract or Contract for an Energy Retrofit Project: Establishing a Pool of Qualified Energy Service Companies (PUC § 388)	subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or contract that falls within an apprenticeable occupation in the building and construction trades. (PUC § 388.2(a)(7)(B).) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PUC § 388.2(e).) The STW requirements do not apply to work performed by the California Conservation Corps that is non-trades and non-construction related. (PUC § 388.2(f).)	Retrofit statute has its <i>own definition</i> of a skilled and trained workforce. See PUC § 388.2(a)(8) (for STW definitions and ratios)		Yes. See PCC § 2603(l) (permitting CWPA's and debarments). <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> Yes (PCC § 2603(l))	
PUC § 120221.5 (PUC § 120220 <i>et seq.</i>)	San Diego Metropolitan Transit Development Board (PUC §§120001, 120050) Construction contracts over \$1,000,000 (PUC § 120221.5)	The board shall not enter into a construction contract over one million dollars (\$1,000,000) with any entity unless the entity provides to the board an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation in the building and construction trades. (PUC § 120221.5.) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PUC § 120221.5(a).)	Yes (PUC § 120221.5)	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a "public work" under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PUC § 120221.5; PCC §§ 2600(a), 2603 (CWPA's and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	N.A.

PUC Section	Affected Entities and Projects	Summary of STW Requirements	Does STW definition at Public Contract Code (PCC) section 2600 <i>et seq.</i> apply?	If the project is not a public work, is there a statute outside of the PWL that requires payment of prevailing wage rate?	Can DLSE enforce via CWPA (1) the use of a Skilled and Trained Workforce, and (2) payment of prevailing wage rate if the project is not a public work?	Sunset/ Repeal Date (if applicable)
PUC § 125222.5 (PUC § 125220 <i>et seq.</i>)	North County Transit District (PUC § 125001): Construction contract over \$1,000,000 (PUC § 125222.5)	North County Transit District shall not enter into a construction contract over one million dollars (\$1,000,000) with any entity unless the entity provides to the district an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation. (PUC § 125222.5.) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PUC § 125222.5(a).)	Yes (PUC § 125222.5)	No, but <u>all</u> prevailing wage requirements will apply <u>if</u> the project is a “public work” under Labor Code § 1720 <i>et seq.</i>	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PUC § 125222.5; PCC §§ 2600(a), 2603 CWPAs and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	N.A.
PUC § 132354.7 (PUC § 132534 <i>et seq.</i>)	Consolidated Transit Agencies as defined in PUC § 132350.2: Construction contract over \$1,000,000 (PUC § 132354.7)	The consolidated agency shall not enter into a construction contract over one million dollars (\$1,000,000) with any entity unless the entity provides to the consolidated agency an enforceable commitment that the entity and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project or a contract that falls within an apprenticeship occupation in the building and construction trades. (PUC § 132354.7.) The STW requirements do not apply if certain types of <i>project labor agreements</i> are in place. (PUC § 132354.7(a).)	Yes (PUC § 132354.7)	Yes	<u>DLSE Enforce Use of Skilled and Trained Workforce:</u> Yes (PUC § 132354.7; PCC §§ 2600(a), 2603 (CWPAs and debarments)) <u>DLSE Enforce Prevailing Wage Rate If Not Public Work:</u> N.A.	N.A.