

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 634

(SENATE AUTHORS: BIGHAM and McEwen)

DATE	D-PG	OFFICIAL STATUS
02/04/2021	246	Introduction and first reading Referred to Labor and Industry Policy
02/11/2021	345	Authors added McEwen; Clausen
03/17/2021	960	Author stricken Clausen

1.1 A bill for an act

1.2 relating to labor and industry; requiring outside contractors to have

1.3 apprenticeship-level training to perform work at high-hazard facilities; proposing

1.4 coding for new law in Minnesota Statutes, chapter 182.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. [182.6523] USE OF OUTSIDE CONTRACTORS AT HIGH-HAZARD

1.7 FACILITIES.

1.8 Subdivision 1. Definitions. (a) For purposes of this section, the following terms have

1.9 the meanings given.

1.10 (b) "Apprenticeship program" means a program registered under chapter 178 that includes

1.11 standards containing all terms and conditions for the qualification, recruitment, selection,

1.12 employment, and training of apprentices, as required under Code of Federal Regulations,

1.13 title 29, parts 29 and 30, in an occupation recognized as an apprenticeable trade and having

1.14 a written apprenticeship agreement.

1.15 (c) "High-hazard facility" means a building or structure classified as a Group H occupancy

1.16 by the International Building Code that is used for the manufacturing, processing, generation,

1.17 or storage of materials in quantities that constitute a high physical or health hazard.

1.18 (d) "Outside contractor" means a vendor that seeks to enter into a contract with an owner

1.19 or operator of a high-hazard facility to perform construction, alteration, demolition,

1.20 installation, repair, or maintenance work at the facility. Outside contractor includes any

1.21 subcontractor of the outside contractor performing work as described in this paragraph at

1.22 the facility.

2.1 Subd. 2. Use of outside contractor by owner, operator; requirement. (a) An owner
2.2 or operator of a high-hazard facility shall, when contracting with outside contractors for the
2.3 performance of construction, alteration, demolition, installation, repair, or maintenance
2.4 work at the facility, require that the contractors performing the work, and any subcontractors
2.5 of the contractors, only use employees of the outside contractor that have at least the
2.6 equivalent skills and training required by an apprenticeship program in the applicable
2.7 occupation to perform all on-site work at the facility.

2.8 (b) The requirement under this subdivision applies only to the on-site employees of each
2.9 outside contractor and subcontractor performing work at the high-hazard facility.

2.10 Subd. 3. Penalties. An employer, outside contractor, or subcontractor may be cited by
2.11 the commissioner for a violation of the requirements in this section. A citation is punishable
2.12 as a serious violation under section 182.666.

2.13 EFFECTIVE DATE. This section is effective October 15, 2021.