

S.F. No. 10 – USE OF SKILLED AND TRAINED CONTRACTOR WORKFORCES AT PETROLEUM REFINERIES (A-2 amendment)

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S.F. 10 would require an owner or operator of a petroleum refinery to use a skilled and trained workforce at the petroleum refinery when contracting with contractors for certain work at the petroleum refinery.

Section 1. **Compliance orders.** [§ 177.27, subd. 4] Gives enforcement powers to the commissioner of labor and industry for violations of the use of skilled and trained contractor workforce at petroleum refineries requirements under section 181.987.

Section 2. **Use of skilled and trained contractor workforce at petroleum refineries.** [§ 181.987] Subdivision 1. **Definitions.** Provides definitions of terms used in this section, including definitions of “contractor,” “registered apprenticeship program,” “skilled and trained workforce,” and “petroleum refinery.”

Defines a “skilled and trained workforce” as one in which each employee of the contractor or subcontractor working at the site of the petroleum refinery meets one of the following:

- currently registered as an apprentice in a registered apprenticeship program in the applicable trade;
- graduated from a registered apprenticeship program in the applicable trade; or
- completed all of the related instruction and on-the-job requirements needed to graduate from the registered apprenticeship program their employer participates in.

Subdivision 2. **Use of contractors by owner, operator; requirements.** Requires an owner or operator of a petroleum refinery to use a skilled and trained workforce at the refinery when contracting with contractors for construction, alteration, demolition, installation, repair, maintenance, or hazardous material handling work at the refinery. Requires an owner or operator's contracted workforce to meet the skilled and trained workforce requirements according to the following schedule:

- 65 percent of by October 15, 2023;
- 75 percent by October 15, 2024; and
- 85 percent by October 15, 2025.

Subdivision 3. **Penalties.** Designates the Division of Labor Standards to receive complaints of violations. Requires the commissioner to fine an owner or operator not less than \$5,000 nor more than \$10,000 for each violation. Provides that each shift on which a violation occurs is a separate violation. Specifies that any civil penalty shall be appropriate to the size of the violator's business and the gravity of the violation.

Subdivision 4. **Civil actions.** Allows a person injured by a violation of this section to bring a civil action for damages against an owner or operator of a petroleum refinery. Allows the court to award to damages, attorney fees, costs, disbursements, and any other appropriate relief.

Both **sections 1 and 2** are effective October 15, 2023.