



## *Follow the Law*

### The Case for Enforcing State Laws Requiring the Hiring of Tradeswomen on State Construction Projects

In 1998, [Chapter 280: An Act Relative to Hiring Women on State Construction Projects](#), became law in Massachusetts. It required state entities to “*develop and implement... a comprehensive plan to eliminate discrimination against and to increase the number of female construction workers at state construction projects.*” The plans were to “*establish goals for women's participation in state funded contracts.*” The law required annual reports on progress to be submitted to the House and Senate Committees on Ways and Means and the Joint Committee on State Administration. In 2009, an Executive Order ([A&F 14](#)) established the workforce participation goal for women on public projects at 6.9%.

Neither Chapter 280 nor A&F 14 appear to have ever been implemented. These legal requirements were strengthened in 2012 when [Chapter 462 amended state bidding and procurement laws to make workforce diversity a condition of bidding](#) and to require, not only planning and reporting, but also enforcement through publicly accessible data “to ensure transparency of [women and ‘minority’] workforce participation in public construction contracts.”

In 2019, workforce participation by tradeswomen was only 3% at the Commonwealth’s largest public builder ([DCAMM FY 2019 Annual Report](#)). **This is compelling evidence of the failure to implement the laws of the Commonwealth that require hiring tradeswomen on publicly-funded construction.**

The experience and best practices needed to ensure women’s workforce participation is available to all state entities. Over the past 12 years, Massachusetts has become a national leader in increasing access to good jobs in the construction trades for women. The UMass Building Authority (UMBA) and the Mass Gaming Commission (MGC) have partnered with the Policy Group on Tradeswomen’s Issues (PGTI), the Building Trades Unions and other labor and community organizations to develop and implement monitoring and reporting, pipeline and pre-apprenticeship programs to increase workforce diversity on public projects. The results of these partnerships have included:

- **Proven Best Practices** for gender and racial workforce diversity have been tested and collected in [Finishing the Job](#), a manual available to all industry stakeholders.
- **Project liaison committees** (or Access and Opportunity Committees) have been fully implemented as called for in state statutes and executive orders on workforce diversity.
- Since 2011, UMBA and MGC have **reached or exceeded the legally mandated target of 6.9%** women’s participation in each of the agencies’ construction projects.
- As a direct outcome of these employment opportunities, **over 9% of union construction apprentices in Massachusetts are women.**

Workforce reporting on public construction is intended to support diversity goals and ensure fair wages in the construction workforce. Currently there are few standardized practices across state agencies and authorities. **A single unitary system for monitoring and reporting gender and racial diversity and prevailing wages on all state-funded construction projects** would make compliance more efficient and effective.