
Labor & Workforce Development Committee

HB 1254

Brief Description: Addressing prevailing wage filings.

Sponsors: Representatives Manweller and Condotta.

Brief Summary of Bill

- Prohibits the Department of Labor and Industries from requiring an individual or entity to file a "Statement of Intent to Pay Prevailing Wages" or an "Affidavit of Wages Paid" if the individual or entity is exempt from the requirement to pay prevailing wage rates.

Hearing Date: 1/30/13

Staff: Sara Campbell (786-7119); Jill Reinmuth (786-7134).

Background:

Prevailing wages must be paid to laborers, workers, and mechanics who work on public works projects in Washington. In addition, prevailing wages must be paid on public building service maintenance contracts of the state or of any county, municipality or political subdivision.

Prevailing wage rates are the hourly wage, usual benefits, and overtime paid to laborers, workers, and mechanics in the same trade or occupation. These rates are established through analysis of survey data by the Industrial Statistician at the Department of Labor and Industries. The rates are calculated to determine the majority rate paid in the locality.

Before the state or political subdivision pays a public works contract or public building service maintenance contract, the contract employer is required to file a "Statement of Intent to Pay Prevailing Wages" for approval by the Industrial Statistician. Approval is not required for public works projects of less than \$2,500.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The contract employer must file an "Affidavit of Wages Paid" upon completion of the contracted work in order to receive final payment from the public entity. The Affidavit must list all subcontractors hired, the number of workers the employer used for each trade, and the total amount paid for the work. There is a statutorily required filing fee of \$40 for both the "Statement of Intent to Pay Prevailing Wages" and the "Affidavit of Wages Paid."

Workers regularly employed by the state or any political subdivision are statutorily exempted from the prevailing wage requirements. Additionally, by rule the prevailing wage requirements do not apply to: sole owners and their spouses; any partner who owns at least 30 percent of a partnership; or the president, vice president, and treasurer of a corporation if each one owns at least 30 percent of the corporation.

Summary of Bill:

The Department of Labor and Industries is prohibited from requiring an individual or entity to file the "Statement of Intent to Pay Prevailing Wages" and the "Affidavit of Wages Paid" if the individual or entity is exempt from the requirement to pay prevailing wage rates.

Appropriation: None.

Fiscal Note: Requested on 1/23/13.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.