
HOUSE BILL 2324

State of Washington

56th Legislature

2000 Regular Session

By Representatives Boldt, Mielke, Schindler, Sump, Schoesler, Mulliken and D. Sommers

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1 AN ACT Relating to prevailing wages on public works laws; amending
2 RCW 39.04.010 and 39.12.020; and adding a new section to chapter 39.12
3 RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 39.04.010 and 1997 c 220 s 402 are each amended to
6 read as follows:

7 The term state shall include the state of Washington and all
8 departments, supervisors, commissioners and agencies thereof.

9 The term municipality shall include every city, county, town,
10 district or other public agency thereof which is authorized by law to
11 require the execution of public work, except drainage districts, diking
12 districts, diking and drainage improvement districts, drainage
13 improvement districts, diking improvement districts, consolidated
14 diking and drainage improvement districts, consolidated drainage
15 improvement districts, consolidated diking improvement districts,
16 irrigation districts or any such other districts as shall from time to
17 time be authorized by law for the reclamation or development of waste
18 or undeveloped lands.

1 The term public work shall include all work, construction,
2 alteration, repair, or improvement other than ordinary maintenance,
3 executed at the cost of the state or of any municipality, or which is
4 by law a lien or charge on any property therein. All public works,
5 including maintenance when performed by contract shall comply with the
6 provisions of chapter 39.12 RCW (~~(39.12.020)~~). The term does not
7 include work, construction, alteration, repair, or improvement
8 performed under contracts entered into under RCW 36.102.060(4) or under
9 development agreements entered into under RCW 36.102.060(7) or leases
10 entered into under RCW 36.102.060(8).

11 The term contract shall mean a contract in writing for the
12 execution of public work for a fixed or determinable amount duly
13 awarded after advertisement and competitive bid. However, a contract
14 which is awarded from a small works roster under the authority of RCW
15 39.04.150, 35.22.620, 28B.10.355, 35.82.075, and 57.08.050 need not be
16 advertised.

17 **Sec. 2.** RCW 39.12.020 and 1989 c 12 s 7 are each amended to read
18 as follows:

19 The hourly wages to be paid to laborers, workers, or mechanics,
20 upon all public works and under all public building service maintenance
21 contracts of the state or any county, municipality or political
22 subdivision created by its laws, shall be not less than the prevailing
23 rate of wage for an hour's work in the same trade or occupation in the
24 locality within the state where such labor is performed. For a
25 contract in excess of ten thousand dollars, a contractor required to
26 pay the prevailing rate of wage shall post in a location readily
27 visible to workers at the job site: PROVIDED, That on road
28 construction, sewer line, pipeline, transmission line, street, or alley
29 improvement projects for which no field office is needed or
30 established, a contractor may post the prevailing rate of wage
31 statement at the contractor's local office, gravel crushing, concrete,
32 or asphalt batch plant as long as the contractor provides a copy of the
33 wage statement to any employee on request:

34 (1) A copy of a statement of intent to pay prevailing wages
35 approved by the industrial statistician of the department of labor and
36 industries under RCW 39.12.040; and

1 (2) The address and telephone number of the industrial statistician
2 of the department of labor and industries where a complaint or inquiry
3 concerning prevailing wages may be made.

4 (~~This chapter shall not apply to workers or other persons~~
5 ~~regularly employed on monthly or per diem salary by the state, or any~~
6 ~~county, municipality, or political subdivision created by its laws.~~)

7 NEW SECTION. **Sec. 3.** A new section is added to chapter 39.12 RCW
8 to read as follows:

9 This chapter does not apply to: (1) Workers or other persons
10 regularly employed on a monthly or per diem salary by the state, or any
11 county, municipality, or political subdivision created by its laws; or
12 (2) common school construction performed under Title 28A RCW.