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**Commerce & Labor Committee**

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**HB 1370**

**Brief Description:** Regarding public workers excluded from prevailing wages on public works provisions.

**Sponsors:** Representatives Green, Conway, Hasegawa, Chase, Simpson, Morrell and Wood.

**Brief Summary of Bill**

- Excludes public employees from prevailing wage requirements and surveys to determine prevailing wages.

**Hearing Date:** 1/26/07

**Staff:** Joan Elgee (786-7106).

**Background:**

State law requires employers to pay workers on all public works contracts and public building service maintenance contracts at least the prevailing wage. The prevailing wage is the rate of hourly wage, usual benefits, and overtime paid to the majority of workers in the same trade or occupation in the largest city in the county where the work is being performed. The Department of Labor and Industries determines the prevailing wage by periodically surveying the trades.

Public employees paid a "monthly or per diem salary" are excluded from the prevailing wage laws, meaning they are also not included in the surveys. Some private sector workers brought suit, claiming that since public employees paid hourly are not excluded, their wages should be included in a survey.

**Summary of Bill:**

Public employees, regardless of how they are paid, are excluded from prevailing wage laws and are therefore not included in prevailing wage surveys.

**Rules Authority:** The bill does not address the rule-making powers of an agency.

**Appropriation:** None.

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*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.*

**Fiscal Note:** Not requested.

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