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**SUBSTITUTE SENATE BILL 5727**

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**State of Washington**

**63rd Legislature**

**2013 Regular Session**

**By** Senate Commerce & Labor (originally sponsored by Senators Braun and Hewitt)

READ FIRST TIME 02/19/13.

1 AN ACT Relating to prevailing wages in distressed counties; and  
2 amending RCW 39.12.020.

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

4 **Sec. 1.** RCW 39.12.020 and 2007 c 169 s 1 are each amended to read  
5 as follows:

6 (1) The hourly wages to be paid to laborers, workers, or mechanics,  
7 upon all public works and under all public building service maintenance  
8 contracts of the state or any county, municipality, or political  
9 subdivision created by its laws, shall be not less than the prevailing  
10 rate of wage for an hour's work in the same trade or occupation in the  
11 locality within the state where such labor is performed. For a  
12 contract in excess of ten thousand dollars, a contractor required to  
13 pay the prevailing rate of wage shall post in a location readily  
14 visible to workers at the job site: PROVIDED, That on road  
15 construction, sewer line, pipeline, transmission line, street, or alley  
16 improvement projects for which no field office is needed or  
17 established, a contractor may post the prevailing rate of wage  
18 statement at the contractor's local office, gravel crushing, concrete,

1 or asphalt batch plant as long as the contractor provides a copy of the  
2 wage statement to any employee on request:

3 ~~((+1))~~ (a) A copy of a statement of intent to pay prevailing wages  
4 approved by the industrial statistician of the department of labor and  
5 industries under RCW 39.12.040; and

6 ~~((+2))~~ (b) The address and telephone number of the industrial  
7 statistician of the department of labor and industries where a  
8 complaint or inquiry concerning prevailing wages may be made.

9 (2) This chapter shall not apply to:

10 (a) Workers or other persons regularly employed by the state, or  
11 any county, municipality, or political subdivision created by its laws;  
12 or

13 (b) Public works projects located in distressed counties when at  
14 least fifty percent of the funding for the project has come from one or  
15 more private sources. For the purposes of this subsection, distressed  
16 county means any county which has an unemployment rate which is twenty  
17 percent above the state average for the immediately previous three  
18 years, as determined annually by the employment security department.  
19 Public works projects are exempt under this subsection if the county  
20 appears on the annual distressed county list on the date the project  
21 was advertised for bid. If the public works project is not subject to  
22 bidding requirements, the exemption under this subsection will apply if  
23 the county appears on the annual distressed county list on the date the  
24 contract for the project is executed. An exemption under this  
25 subsection shall remain in effect through completion of the project.

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