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SENATE BILL 5823

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State of Washington

63rd Legislature

2013 Regular Session

By Senators Chase, Hasegawa, Shin, and Kline

Read first time 02/19/13. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to creating a pilot program for the collection of  
2 payroll records on public works projects; and adding a new section to  
3 chapter 39.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.12 RCW  
6 to read as follows:

7 (1) The legislature finds that the current process for collection  
8 and disclosure of certified payroll records on public works projects is  
9 an inefficient use of public resources and results in unreasonable  
10 delays for interested parties seeking the records. The legislature  
11 therefore intends to create a pilot program for the collection of  
12 payroll records on public works projects.

13 (2) The department of labor and industries must contract out for a  
14 labor compliance software program that allows contractors and  
15 subcontractors on public works projects to electronically submit  
16 complete and current payroll records to awarding agencies. At a  
17 minimum, the labor compliance software program must collect information  
18 necessary to ensure compliance with prevailing wage requirements,  
19 including names and identifying information of workers, daily hours

1 worked per pay period, the prevailing wage classification applicable to  
2 the worker, and the wages earned by the worker in the pay period. The  
3 department of labor and industries may consult with the department of  
4 enterprise services and with the capital projects advisory review board  
5 when selecting the labor compliance software program.

6 (3) The awarding agency for any public works project subject to  
7 this section must require the contractor and each and every  
8 subcontractor on the project to submit current and complete payroll  
9 information using the labor compliance software program before any  
10 payment or disbursement of public funds. Following the final  
11 acceptance of a public works project, funds retained pursuant to RCW  
12 60.28.011 may not be released to the contractor until the awarding  
13 agency has complete and accurate payroll records for every contractor  
14 and subcontractor who performed work on the project.

15 (4) Participation in the pilot program is mandatory for public  
16 works projects advertised for bid on or after January 1, 2014, and  
17 before January 1, 2019, as follows:

18 (a) For four-year institutions of higher education, public works  
19 projects estimated to cost one million dollars or more;

20 (b) For public school districts, public works projects estimated to  
21 cost one million dollars or more;

22 (c) For King county, public works projects estimated to cost one  
23 million dollars or more.

24 (5) Participation in the pilot program is optional for all other  
25 public works projects. An awarding agency may participate in the pilot  
26 program on a project-by-project basis, and must disclose pilot program  
27 participation in the bid solicitation.

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