

**RCW 50.38.070 Annual wage survey.** (1) The department must conduct, or cause to be conducted, a comprehensive annual wage survey of non-H-2A workers hand harvesting apples, cherries, pears, and blueberries.

(2) At a minimum, the surveys must:

(a) Gather information on wage rates received for harvesting activities;

(b) Include a question concerning whether the survey respondent made an unemployment insurance claim in the same period of time used to compile any list of unemployment claimants used as a basis for the phone survey described in this section;

(c) Gather information on the respondent's age, gender, and whether the respondent was born in the United States or the number of years the respondent has lived in the United States; and

(d) Gather information on whether the respondent earned the reported wages while working on a farm that employed H-2A workers to do the same kind of work.

(3) The survey must:

(a) Be designed to receive responses from a minimum of 2,800 workers;

(b) Include field surveys designed to receive responses from a minimum of:

(i) 1,200 apple harvesters;

(ii) 200 pear harvesters;

(iii) 200 blueberry harvesters; and

(iv) 350 cherry harvesters; and

(c) Use best practices for administering a field survey of unknown populations.

(4) The survey may use a phone survey to gather the additional responses.

(5) The department must provide \$25 incentive payments for survey respondents who are eligible to respond to the survey.

(6) The department must submit a report to the appropriate committees of the legislature annually by May 1st on surveys conducted under this section. The report must include:

(a) Information about the number of responses; and

(b) Individual responses, without names, including each respondent's answers to the inquiries described in subsection (2) of this section, except that unemployment claim data may be aggregated to the extent necessary to comply with federal law. [2024 c 233 s 2.]

**Conflict with federal requirements—2024 c 233:** See note following RCW 50.75.060.