
SENATE BILL 5790

State of Washington

53rd Legislature

1993 Regular Session

By Senator Prentice

Read first time 02/15/93. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to the establishment of state-wide prevailing wage
2 rates for shipbuilding and ship repair on public works only; and
3 amending RCW 39.12.010.

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

5 **Sec. 1.** RCW 39.12.010 and 1989 c 12 s 6 are each amended to read
6 as follows:

7 (1) The "prevailing rate of wage", for the intents and purposes of
8 this chapter, shall be the rate of hourly wage, usual benefits, and
9 overtime paid in the locality, as hereinafter defined, to the majority
10 of workers, laborers, or mechanics, in the same trade or occupation.
11 The "prevailing rate of wage" for shipbuilding and ship repair means
12 the rate of hourly wage, usual benefits, and overtime paid in the state
13 to the majority of workers, laborers, or mechanics in the same trade or
14 profession. In the event that there is not a majority in the same
15 trade or occupation paid at the same rate, then the average rate of
16 hourly wage and overtime paid to such laborers, workers, or mechanics
17 in the same trade or occupation shall be the prevailing rate. If the
18 wage paid by any contractor or subcontractor to laborers, workers, or
19 mechanics on any public work is based on some period of time other than

1 an hour, the hourly wage for the purposes of this chapter shall be
2 mathematically determined by the number of hours worked in such period
3 of time.

4 (2) The "locality" for the purposes of this chapter shall be the
5 largest city in the county wherein the physical work is being
6 performed.

7 (3) The "usual benefits" for the purposes of this chapter shall
8 include the amount of:

9 (a) The rate of contribution irrevocably made by a contractor or
10 subcontractor to a trustee or to a third person pursuant to a fund,
11 plan, or program; and

12 (b) The rate of costs to the contractor or subcontractor which may
13 be reasonably anticipated in providing benefits to workers, laborers,
14 and mechanics pursuant to an (~~enforceable~~) enforceable commitment to
15 carry out a financially responsible plan or program which was
16 communicated in writing to the workers, laborers, and mechanics
17 affected, for medical or hospital care, pensions on retirement or
18 death, compensation for injuries or illness resulting from occupational
19 activity, or insurance to provide any of the foregoing, for
20 unemployment benefits, life insurance, disability and sickness
21 insurance, or accident insurance, for vacation and holiday pay, for
22 defraying costs of apprenticeship or other similar programs, or for
23 other bona fide fringe benefits, but only where the contractor or
24 subcontractor is not required by other federal, state, or local law to
25 provide any of such benefits.

26 (4) An "interested party" for the purposes of this chapter shall
27 include a contractor, subcontractor, an employee of a contractor or
28 subcontractor, an organization whose members' wages, benefits, and
29 conditions of employment are affected by this chapter, and the director
30 of labor and industries or the director's designee.

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