2803 AMH MANW TANG 110

**HB 2803** - H AMD **676**

By Representative Manweller

On page 2, after line 14, insert the following:

"NEW SECTION. **Sec. 2.** A new section is added to chapter 39.12 RCW to read as follows:

(1) In any action based on any act or omission occurring on or after the effective date of this section, an employer is not subject to liability or penalty for the failure of the employer to pay prevailing wages under this title if the employer establishes that the act or omission complained of was in good faith conformity with and reliance on:

(a) A rule related to any wage payment requirement;

(b) A written order, ruling, approval, opinion, advice, determination, or interpretation of the director; or

(c) An interpretive or administrative policy issued by the department.

(2) The defense described in subsection (1) of this section, if established, is a bar to the action, notwithstanding that after the act or omission, the order, ruling, approval, opinion, advice, determination, or interpretation, or interpretive or administrative policy of the department is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect."

Correct the title.

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|  | EFFECT:   Provides that an employer is not subject to liability or punishment for failing to pay prevailing wages if the employer establishes that the employer acted in good faith conformity with and reliance on: a rule related to any wage payment requirement; a written order, ruling, approval, opinion, advice, determination, or interpretation of the Director of the Department of Labor and Industries; or an interpretive or administrative policy issued by the Department. |

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