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**HOUSE BILL 1776**

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**State of Washington**

**67th Legislature**

**2022 Regular Session**

**By** Representatives Sells, Berry, Eslick, Ortiz-Self, Simmons, Valdez, Pollet, Ormsby, Harris-Talley, and Bronoske

Prefiled 01/05/22. Read first time 01/10/22. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to wages for journeypersons in high-hazard  
2 facilities; amending RCW 49.80.010; and providing an effective date.

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

4 **Sec. 1.** RCW 49.80.010 and 2019 c 306 s 1 are each amended to  
5 read as follows:

6 The definitions in this section apply throughout this chapter  
7 unless the context clearly requires otherwise.

8 (1) "Apprenticeable occupation" means an occupation for which an  
9 apprenticeship program has been approved by the Washington state  
10 apprenticeship and training council pursuant to chapter 49.04 RCW.

11 (2) "Department" means the department of labor and industries.

12 (3) "On-site work" does not include ship and rail car support  
13 activities; environmental inspection and testing; security guard  
14 services; work which is performed by an original equipment  
15 manufacturer for warranty, repair, or maintenance on the vendor's  
16 equipment if required by the original equipment manufacturer's  
17 warranty agreement between the original equipment manufacturer and  
18 the owner; industrial cleaning not related to construction; safety  
19 services requiring professional safety certification; nonconstruction  
20 catalyst loading, regeneration, and removal; chemical purging and  
21 cleaning; refinery by-product separation and recovery; inspection

1 services not related to construction; and work performed that is not  
2 in an apprenticeable occupation.

3 (4) "Prevailing hourly wage rate" has the meaning provided for  
4 "prevailing rate of wage" in RCW 39.12.010.

5 (5) "Registered apprentice" means an apprentice registered in an  
6 apprenticeship program approved by the Washington state  
7 apprenticeship and training council according to chapter 49.04 RCW.

8 (6) "Skilled and trained workforce" means a workforce that meets  
9 both of the following criteria:

10 (a) All the workers are either registered apprentices or skilled  
11 journeypersons; and

12 (b) The workforce meets the apprenticeship graduation and  
13 approved advanced safety training requirements established in RCW  
14 49.80.030.

15 (7) "Skilled journeyperson" means a worker who meets all of the  
16 following criteria:

17 (a) The worker either graduated from an apprenticeship program  
18 for the applicable occupation that was approved by the Washington  
19 state apprenticeship and training council according to chapter 49.04  
20 RCW, or has at least as many hours of on-the-job experience in the  
21 applicable occupation that would be required to graduate from an  
22 apprenticeship program approved by the Washington state  
23 apprenticeship and training council according to chapter 49.04 RCW;  
24 and

25 (b) The worker is being paid at least a rate (~~commensurate with~~  
26 ~~the wages typically paid for the occupation in the applicable~~  
27 ~~geographic area, subject to the following provisions:~~

28 ~~(i) The prevailing wage rate paid for a worker in the applicable~~  
29 ~~occupation and geographic area on public works projects may be used~~  
30 ~~to determine the appropriate rate of pay, however, this subsection~~  
31 ~~(7)(b) does not require a contractor to pay prevailing wage rates;~~  
32 ~~and~~

33 ~~(ii) In no case may the worker be paid at a rate less than an~~  
34 ~~hourly rate consistent with the seventy-fifth percentile in the~~  
35 ~~applicable occupation and geographic area in the most recent~~  
36 ~~occupational employment statistics published by the employment~~  
37 ~~security department)) consistent with the prevailing hourly wage rate  
38 for a worker in the applicable occupation and geographic area.~~

1        NEW SECTION.    **Sec. 2.**    This act takes effect January 1, 2024.

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