
ENGROSSED SECOND SUBSTITUTE SENATE BILL 5061

State of Washington

69th Legislature

2025 Regular Session

By Senate Transportation (originally sponsored by Senators Conway, Saldaña, Riccelli, Liias, Valdez, Chapman, Hasegawa, Nobles, Salomon, and Stanford)

READ FIRST TIME 02/26/25.

1 AN ACT Relating to requiring wages for laborers, workers, and
2 mechanics in public works contracts to be at least the prevailing
3 rate of wage in effect at the time the work is performed; amending
4 RCW 39.12.030; creating a new section; and providing an effective
5 date.

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

7 NEW SECTION. **Sec. 1.** The legislature finds that the voters of
8 this state have twice recognized by way of initiative the importance
9 of fair labor standards and protecting workers by establishing
10 minimum wages and appropriate incremental adjustments to minimum
11 wages. Similarly, the prevailing wage laws are the minimum wage
12 required to be paid on public works projects. However, in most cases,
13 prevailing wages are frozen from the time bids are due for the
14 duration of the project regardless of how long it takes to complete.
15 The legislature intends to provide for fair labor standards and the
16 protection of workers by requiring that wages be adjusted in
17 accordance with prevailing rate of wage adjustments published by the
18 department of labor and industries.

19 **Sec. 2.** RCW 39.12.030 and 2009 c 62 s 1 are each amended to read
20 as follows:

1 (1) The specifications for every contract for the construction,
2 reconstruction, maintenance or repair of any public work to which the
3 state or any county, municipality, or political subdivision created
4 by its laws is a party, shall contain a provision stating the hourly
5 minimum rate of wage, not less than the prevailing rate of wage,
6 which may be paid to laborers, workers, or mechanics in each trade or
7 occupation required for such public work employed in the performance
8 of the contract either by the contractor, subcontractor or other
9 person doing or contracting to do the whole or any part of the work
10 contemplated by the contract, and the contract shall (~~contain a~~
11 ~~stipulation~~) stipulate that such laborers, workers, or mechanics
12 shall be paid not less than such specified hourly minimum rate of
13 wage. Except for contracts for projects under RCW 39.04.151 or
14 residential construction as defined in RCW 39.12.017, the contract
15 shall stipulate that the hourly minimum rate of wage for laborers,
16 workers, or mechanics must be adjusted annually, based on the
17 contract date, to provide that such wage is not less than the latest
18 prevailing rate of wage. If the awarding agency determines that the
19 work contracted for meets the definition of residential construction,
20 the contract must include that information.

21 (2) If the hourly minimum rate of wage stated in the contract
22 specifies residential construction rates and it is later determined
23 that the work performed is commercial and subject to commercial
24 construction rates, the state, county, municipality, or political
25 subdivision that entered into the contract must pay the difference
26 between the residential rate stated and the actual commercial rate to
27 the contractor, subcontractor, or other person doing or contracting
28 to do the whole or any part of the work under the contract.

29 NEW SECTION. **Sec. 3.** This act takes effect July 1, 2027.

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