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**SENATE BILL 5572**

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**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Senators Conway, Hasegawa, Nobles, and C. Wilson; by request of Superintendent of Public Instruction

Read first time 01/29/25. Referred to Committee on Labor & Commerce.

1 AN ACT Relating to promoting the efficient administration of  
2 school construction assistance program projects; adding new sections  
3 to chapter 28A.525 RCW; and creating a new section.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that project labor  
6 agreements promote the creation of jobs in Washington, strengthen the  
7 state economy, and promote efficiencies in the administration of  
8 state government capital projects, including school district  
9 construction projects.

10 NEW SECTION. **Sec. 2.** The definition in this section applies  
11 throughout sections 3 and 4 of this act unless the context clearly  
12 requires otherwise.

13 "Project labor agreement" means a prehire collective bargaining  
14 agreement with one or more labor organizations that establishes the  
15 terms and conditions of employment for a specific construction  
16 project and is an agreement described in 29 U.S.C. Sec. 158(f). To  
17 establish the terms and conditions for employment on a single  
18 construction project, the project labor agreement must be a single  
19 agreement covering all labor organizations representing the building

1 and construction employees involved in the project and all  
2 contractors and subcontractors working on the project.

3 NEW SECTION. **Sec. 3.** (1) When awarding a school construction  
4 assistance program project for which the total estimated cost of the  
5 construction contract is \$35,000,000 or more, or obligating funds  
6 pursuant to such a contract, school districts shall require every  
7 contractor or subcontractor engaged in construction on the project to  
8 agree, for that project, to negotiate or become a party to a project  
9 labor agreement with one or more appropriate labor organizations.

10 (2) Any project labor agreement reached pursuant to this section  
11 must:

12 (a) Bind all contractors and subcontractors on the construction  
13 project through the inclusion of appropriate specifications in all  
14 relevant solicitation provisions and contract documents;

15 (b) Allow all contractors and subcontractors on the construction  
16 project to compete for contracts and subcontracts without regard to  
17 whether they are otherwise parties to collective bargaining  
18 agreements;

19 (c) Contain guarantees against strikes, lockouts, and similar job  
20 disruptions;

21 (d) Set forth effective, prompt, and mutually binding procedures  
22 for resolving labor disputes arising during the term of the project  
23 labor agreement;

24 (e) Provide other mechanisms for labor-management cooperation on  
25 matters of mutual interest and concern, including productivity,  
26 quality of work, safety, and health; and

27 (f) Fully conform to all state laws and regulations.

28 (3) Contractors or subcontractors entering into a project labor  
29 agreement pursuant to this section may not be required to do so with  
30 any particular labor organization.

31 (4) Projects awarded or receiving funding under RCW 28A.525.159  
32 or 28A.525.320 are exempt from the requirements of this section.

33 (5) Nothing in this section precludes a school district from  
34 requiring the use of a project labor agreement in circumstances not  
35 covered by the requirements of this section.

36 NEW SECTION. **Sec. 4.** The department of labor and industries may  
37 grant an exception from the requirements of section 3 of this act for  
38 a particular contract by, no later than the solicitation date of the

1 contract, providing a specific written explanation of why at least  
2 one of the following circumstances exists with respect to that  
3 contract:

4 (1) Requiring a project labor agreement on the project would not  
5 advance the state's interests in achieving economy and efficiency in  
6 state procurement. Such a finding must be based on the following  
7 factors:

8 (a) The project is of short duration and lacks operational  
9 complexity;

10 (b) The project will involve only one craft or trade;

11 (c) The project will involve specialized construction work that  
12 is available from only a limited number of contractors or  
13 subcontractors;

14 (d) The school district's need for the project is of such an  
15 unusual and compelling urgency that a project labor agreement would  
16 be impracticable; or

17 (e) The project implicates other similar factors deemed  
18 appropriate in regulations or guidance;

19 (2) Based on an inclusive market analysis, requiring a project  
20 labor agreement on the project would substantially reduce the number  
21 of potential bidders so as to frustrate full and open competition; or

22 (3) Requiring a project labor agreement on the project would  
23 otherwise be inconsistent with state laws and regulations.

24 NEW SECTION. **Sec. 5.** Sections 2 through 4 of this act are each  
25 added to chapter 28A.525 RCW.

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