

---

ENGROSSED SUBSTITUTE SENATE BILL 6302

---

State of Washington

69th Legislature

2026 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Conway, Saldaña, Hasegawa, Orwall, and Valdez)

READ FIRST TIME 02/04/26.

1 AN ACT Relating to misclassification in the finishing trades on  
2 public works projects; and adding a new section to chapter 39.12 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 39.12  
5 RCW to read as follows:

6 (1) If a contractor or subcontractor engages three or more  
7 independent contractors, as described in RCW 39.12.100, to perform  
8 the same type of covered finishing work at the same time on a public  
9 works project, the department of labor and industries, upon a  
10 referral for investigation, must investigate to determine whether the  
11 individuals performing the work have been misclassified as  
12 independent contractors.

13 (2) A referral for investigation under this section may be made  
14 by:

15 (a) The state, county, municipality, or political subdivision  
16 awarding the public works contract;

17 (b) Any contractor or subcontractor on the public works project;

18 (c) Any labor organization that represents individuals performing  
19 covered finishing work on the public works project; or

20 (d) Any individual performing covered finishing work on the  
21 project.

1           (3) If the department of labor and industries finds, following an  
2 investigation under this section, that any individual performing  
3 covered finishing work has been misclassified as an independent  
4 contractor, the contractor or subcontractor that engaged the  
5 individual is subject to all applicable requirements, liabilities,  
6 and penalties under this chapter. Following this finding, the  
7 department of labor and industries shall make the appropriate  
8 referrals under Titles 50 and 51 RCW.

9           (4) For purposes of this section, "covered finishing work" means  
10 work in drywall, flooring, tiling, painting, and glazier and  
11 glasswork.

--- END ---