

ESHB 1701 - H AMD 776

By Representative Ormsby

ADOPTED 05/13/2011

1 On page 2, line 27, after "(2)" insert "No more than two
2 independent contractors, as covered by subsection (1) of this section,
3 may be under contract at the same time. It is not a violation of this
4 act, if more than two independent contractors work on or in a single
5 building if proof is provided, both in written contract and in fact,
6 that any independent contractors beyond the first two are not working
7 as independent contractors during the same time period.

8 (3) The exemptions provided by subsection (2) of this section are
9 broad and in no way exempt independent contractors from industrial
10 insurance coverage under Title 51 RCW. Each and every independent
11 contractor must separately pass the tests provided in RCW 51.08.180 or
12 51.08.181 to be exempt from coverage under Title 51 RCW.

13 (4)"

14
15 Renumber the remaining subsections consecutively and correct any
16 internal references accordingly.

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EFFECT: Provides that no more than two independent contractors who meet the criteria specified in the bill (working on or in a single building on the same task involving a similar material, with no covered workers) may be under contract at the same time. Provides that it is not a violation if proof is provided, both in written contract and in fact, that any independent contractors beyond the first two are not working during the same time period. States that the exemptions for not working during the same time period are broad and in no way exempt independent contractors from industrial insurance coverage. Requires independent contractors to separately pass the seven-part test (or other test) to be exempt from coverage.

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