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**Labor & Workforce Development  
Committee**

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**SSB 5070**

**Brief Description:** Regarding records requests relating to prevailing wage investigations.

**Sponsors:** Senate Committee on Labor, Commerce & Consumer Protection (originally sponsored by Senators Conway, Kohl-Welles, Kline and Chase; by request of Department of Labor & Industries).

**Brief Summary of Substitute Bill**

- Prohibits a contractor or subcontractor from using records requested by the Department of Labor and Industries to challenge a prevailing wage determination if the records are not provided within 60 days of a request.

**Hearing Date:** 3/8/11

**Staff:** Alison Hellberg (786-7152).

**Background:**

Contractors and subcontractors on public works projects must comply with the state prevailing wage requirements and pay their employees prevailing wages. The prevailing wage is the rate of hourly wage, usual benefits, and overtime paid to the majority of workers in the same trade or occupation in the largest city in the county where the work is performed. The Department of Labor and Industries (Department) administers and enforces the state prevailing wage law.

Interested parties may file complaints of prevailing wage violations. The Department investigates these complaints and issues written determinations with its findings. These determinations may be appealed. In order to complete an investigation of a prevailing wage complaint, the Department frequently requests records from a contractor or subcontractor. Examples of these records include payroll and time records.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Summary of Bill:**

If a contractor or subcontractor fails to provide records requested by the Department within 60 days, the records may not be used in a proceeding to challenge a determination that wages are owed, that a record or statement is false, or that the contractor or subcontractor has failed to file a record or statement.

**Appropriation:** None.

**Fiscal Note:** Requested on March 3, 2011.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.