

**HB 2803 - H AMD 676**

By Representative Manweller

1 On page 2, after line 14, insert the following:

2

3 "NEW SECTION. Sec. 2. A new section is added to chapter 39.12 RCW  
4 to read as follows:

5 (1) In any action based on any act or omission occurring on or  
6 after the effective date of this section, an employer is not subject  
7 to liability or penalty for the failure of the employer to pay  
8 prevailing wages under this title if the employer establishes that the  
9 act or omission complained of was in good faith conformity with and  
10 reliance on:

11 (a) A rule related to any wage payment requirement;

12 (b) A written order, ruling, approval, opinion, advice,  
13 determination, or interpretation of the director; or

14 (c) An interpretive or administrative policy issued by the  
15 department.

16 (2) The defense described in subsection (1) of this section, if  
17 established, is a bar to the action, notwithstanding that after the  
18 act or omission, the order, ruling, approval, opinion, advice,  
19 determination, or interpretation, or interpretive or administrative  
20 policy of the department is modified or rescinded or is determined by  
21 judicial authority to be invalid or of no legal effect."

22

23 Correct the title.

24

EFFECT: Provides that an employer is not subject to liability  
or punishment for failing to pay prevailing wages if the employer  
establishes that the employer acted in good faith conformity with  
and reliance on: a rule related to any wage payment requirement; a

written order, ruling, approval, opinion, advice, determination, or interpretation of the Director of the Department of Labor and Industries; or an interpretive or administrative policy issued by the Department.

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