

# HOUSE BILL REPORT

## HB 1595

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**As Passed House:**  
March 6, 2015

**Title:** An act relating to changing the definition of labor hours for the purposes of the apprenticeship utilization statute.

**Brief Description:** Changing the definition of labor hours for the purposes of the apprenticeship utilization statute.

**Sponsors:** Representatives Senn, Clibborn, Walsh and Ormsby.

**Brief History:**

**Committee Activity:**

Labor: 2/2/15, 2/9/15, 2/10/15 [DP].

**Floor Activity:**

Passed House: 3/6/15, 97-1.

**Brief Summary of Bill**

- Changes the definition of "labor hours" in the apprenticeship utilization statutes to include hours worked "upon" the project, rather than just "on the site" of the project.

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### HOUSE COMMITTEE ON LABOR

**Majority Report:** Do pass. Signed by 7 members: Representatives Sells, Chair; Gregerson, Vice Chair; Manweller, Ranking Minority Member; G. Hunt, Assistant Ranking Minority Member; McCabe, Moeller and Ormsby.

**Staff:** Trudes Tango (786-7384).

**Background:**

Generally, public works projects that are estimated to cost \$1 million or more must require that at least 15 percent of the labor hours be performed by apprentices enrolled in approved apprenticeship training programs.

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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.*

"Labor hours" is defined as the total hours of workers receiving an hourly wage who are directly employed "on the site" of the public works project.

Some awarding agencies have looked to federal law for guidance on interpreting the phrase "on the site" of the project. Under the Davis-Bacon Act (the federal law that requires prevailing wages be paid on federally funded public works projects) the term "on the site" of the work means, generally, the physical place where the building or work called for in the contract will remain, and any other site where a significant portion of the building or work is constructed, provided that such site is established specifically for the performance of the contract or project.

Washington's prevailing wage laws require that laborers "upon" the public works project must be paid prevailing wages. The prevailing wage law has been interpreted to extend beyond work performed directly on the site of the project.

**Summary of Bill:**

The definition of "labor hours" in the apprenticeship utilization statutes is changed to mean the total hours of workers employed "upon" (rather than "on the site" of) the project.

**Appropriation:** None.

**Fiscal Note:** Not requested.

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

**Staff Summary of Public Testimony:**

(In support) This bill is about truck drivers who transport materials back and forth. It is common for truck drivers to spend an entire day working on the project, but not on the site. Last year, the Department of Transportation imposed a new standard regarding truck driver hours counting towards apprenticeship utilization requirements. The agency determined that the driver had to be on site at least four hours of the day to have the hours count toward apprenticeship utilization. This bill will clarify things for truck drivers. This is not an issue with other crafts. Apprenticeship programs help people like returning veterans. This change in the law will encourage more people to enroll in apprenticeship programs.

(Opposed) None.

**Persons Testifying:** Representative Senn, prime sponsor; Neil Hartman, Washington Building and Construction Trades Council; Tom George, Washington Teamsters Apprenticeship Trust; Raymond L. Cribbs, Teamsters; Dean Smith, Lakeside Industries; and Larry Boyd, Teamsters Local 174.

**Persons Signed In To Testify But Not Testifying:** None.