

---

## Labor & Workplace Standards Committee

---

### HB 1099

**Brief Description:** Requiring certain wages in public works contracts to be at least the prevailing wage in effect when the work is performed.

**Sponsors:** Representatives Berry, Ormsby, Goodman, Bateman, Reed, Pollet, Doglio, Simmons, Bronoske, Gregerson, Kloba, Santos, Riccelli and Fosse.

**Brief Summary of Bill**

- Requires public works contracts to specify that wages paid to workers will not be less than the latest prevailing wage rate in effect at the time the work is performed.

**Hearing Date:** 1/11/23

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

**Background:**

Public works contracts for construction, reconstruction, maintenance, or repair must state the hourly minimum wage rate to be paid to laborers, workers, or mechanics. Employers must pay laborers, workers, and mechanics on public works contracts and public building service maintenance contracts at least the prevailing wage rate. Public work is all work, construction, alteration, repair, or improvement other than ordinary maintenance, that is done at the cost of the state or any municipality. The prevailing rate of wage is the 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.

---

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

Contractors on public works projects must submit a "Statement of Intent to Pay Prevailing Wages" to the awarding agency before the agency makes any payment. The statement of intent must include the prevailing wage rate for each classification of workers entitled to prevailing wages and an estimate of the number of workers in each classification. Once the project is completed and before final acceptance by the awarding agency, contractors must submit an "Affidavit of Wages Paid." Except for small public works projects of \$2,500 or less, all intents and affidavits must be approved by the industrial statistician at the Department of Labor and Industries (Department) before they are submitted to the awarding agency.

The prevailing wage rate for workers is determined at the time of the prime contractor's bid due date, or the date the contract is awarded if the contract is not awarded within six months of the bid due date. The prevailing wage rate determined at that time remains the same for the life of the project.

The Department administers the prevailing wage requirements and publishes prevailing wage rates twice a year.

**Summary of Bill:**

Beginning July 1, 2024, contracts for the construction, reconstruction, maintenance, or repair of any public work must stipulate that the hourly minimum wage rate for laborers, workers, and mechanics must be adjusted to provide that the wage is not less than the latest prevailing wage rate in effect at the time the work is performed.

**Appropriation:** None.

**Fiscal Note:** Requested on January 9, 2023.

**Effective Date:** The bill takes effect on July 1, 2024.