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**SENATE BILL 5572**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Senators Conway, Hasegawa, Nobles, and C. Wilson; by request of Superintendent of Public Instruction

AN ACT Relating to promoting the efficient administration of school construction assistance program projects; adding new sections to chapter 28A.525 RCW; and creating a new section.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  The legislature finds that project labor agreements promote the creation of jobs in Washington, strengthen the state economy, and promote efficiencies in the administration of state government capital projects, including school district construction projects.

NEW SECTION. **Sec.**  The definition in this section applies throughout sections 3 and 4 of this act unless the context clearly requires otherwise.

"Project labor agreement" means a prehire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project and is an agreement described in 29 U.S.C. Sec. 158(f). To establish the terms and conditions for employment on a single construction project, the project labor agreement must be a single agreement covering all labor organizations representing the building and construction employees involved in the project and all contractors and subcontractors working on the project.

NEW SECTION. **Sec.**  (1) When awarding a school construction assistance program project for which the total estimated cost of the construction contract is $35,000,000 or more, or obligating funds pursuant to such a contract, school districts shall require every contractor or subcontractor engaged in construction on the project to agree, for that project, to negotiate or become a party to a project labor agreement with one or more appropriate labor organizations.

(2) Any project labor agreement reached pursuant to this section must:

(a) Bind all contractors and subcontractors on the construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents;

(b) Allow all contractors and subcontractors on the construction project to compete for contracts and subcontracts without regard to whether they are otherwise parties to collective bargaining agreements;

(c) Contain guarantees against strikes, lockouts, and similar job disruptions;

(d) Set forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the term of the project labor agreement;

(e) Provide other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health; and

(f) Fully conform to all state laws and regulations.

(3) Contractors or subcontractors entering into a project labor agreement pursuant to this section may not be required to do so with any particular labor organization.

(4) Projects awarded or receiving funding under RCW 28A.525.159 or 28A.525.320 are exempt from the requirements of this section.

(5) Nothing in this section precludes a school district from requiring the use of a project labor agreement in circumstances not covered by the requirements of this section.

NEW SECTION. **Sec.**  The department of labor and industries may grant an exception from the requirements of section 3 of this act for a particular contract by, no later than the solicitation date of the contract, providing a specific written explanation of why at least one of the following circumstances exists with respect to that contract:

(1) Requiring a project labor agreement on the project would not advance the state's interests in achieving economy and efficiency in state procurement. Such a finding must be based on the following factors:

(a) The project is of short duration and lacks operational complexity;

(b) The project will involve only one craft or trade;

(c) The project will involve specialized construction work that is available from only a limited number of contractors or subcontractors;

(d) The school district's need for the project is of such an unusual and compelling urgency that a project labor agreement would be impracticable; or

(e) The project implicates other similar factors deemed appropriate in regulations or guidance;

(2) Based on an inclusive market analysis, requiring a project labor agreement on the project would substantially reduce the number of potential bidders so as to frustrate full and open competition; or

(3) Requiring a project labor agreement on the project would otherwise be inconsistent with state laws and regulations.

NEW SECTION. **Sec.**  Sections 2 through 4 of this act are each added to chapter 28A.525 RCW.

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