

SSB 5726 - S AMD 141

By Senator King

1 On page 2, beginning on line 9, after "of" strike all material
2 through "owed." on line 23 and insert "workers, laborers, or
3 mechanics in the same trade or occupation under the collective
4 bargaining agreements. In the event there is not a majority of
5 workers, laborers, or mechanics in the same trade or occupation paid
6 at the same rate, then the rate representing the most workers,
7 laborers, or mechanics in the same trade or occupation shall prevail.
8 The industrial statistician shall consider the applicable collective
9 bargaining agreements and may seek input from the labor and
10 management signatory parties and their multiemployer bargaining unit
11 representatives, if applicable, regarding which rate is the majority
12 rate, or the rate representing the most workers, laborers, or
13 mechanics in the same trade or occupation in the event there is no
14 majority. In no case where there is a collective bargaining agreement
15 within a county, shall the industrial statistician conduct wage
16 surveys or otherwise apply hours worked data to set the prevailing
17 rate of wage, except that it may apply hours worked data to resolve
18 an appeal under (b) of this subsection.

19 (b) An interested party may appeal a determination by the
20 industrial statistician under this subsection. The interested party
21 must allege and prove by competent evidence that the actual rate used
22 in the determination is not the rate representing the majority number
23 or plurality of workers, laborers, or mechanics in the same trade or
24 occupation under the collective bargaining agreements. Until final
25 determination thereof, the work in question shall proceed under the
26 rate established by the industrial statistician."

27 On page 3, line 22, after "(3)" strike "Cost" and insert "Until
28 December 31, 2029, cost"

29 On page 3, line 25, after "increase to" strike "request" and
30 insert "require"

1 On page 3, line 26, after "contract" insert "for the following
2 scopes of work established pursuant to this chapter:

3 (a) Carpenters;

4 (b) Cement masons;

5 (c) Laborers;

6 (d) Power equipment operators; and

7 (e) Teamsters"

8 On page 3, beginning on line 27, after "(4)" strike all material
9 through "39.04.155" on line 29 and insert "Nothing in subsection (2)
10 of this section shall supersede the wage adjustment provisions
11 provided for in RCW 39.04.155, 35.22.620(11)(e), 53.08.120(3)(e),
12 39.10.380(1), 35.23.352(13), 36.32.235(9), 39.04.235, 54.04.070(7),
13 39.10.420, 39.10.340, 39.10.300, and 57.08.050(6)"

EFFECT: Changes the method by which the industrial statistician determines the prevailing wage when more than one collective bargaining agreements apply from the rate representing the majority of hours worked to the rate representing the majority of workers, laborers, or mechanics. Provides that if a rate representing the majority is not present, the rate representing the most workers, laborers, or mechanics shall prevail. Provides that the industrial statistician may seek input from the labor and management signatory parties and their multiemployer bargaining unit representatives regarding which rate is the majority rate. Modifies terminology around contesting a determination to align with changes made to the bill. Provides that cost increases resulting from the prevailing wage adjustments are good cause justification for the contractor to require, rather than request, a financial adjustment to the contractor's contract. Expires the provision relating to the good cause justification for requiring financial adjustment to the contractor's contract on December 31, 2029, and limits its application to the following scopes of work: Carpenters, cement masons, laborers, power equipment operators, and teamsters. Provides that the subsection requiring payment of prevailing wage at the time the work is performed does not supersede wage adjustment provisions in other statutes.

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