

# **Labor and Workforce Development Committee**

## **House of Representatives State of Washington**

### **Final Report for 2014**

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House of Representatives  
State of Washington

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**2014 FINAL REPORT**  
**House Labor and Workforce Development Committee**

**Summary of Major Legislation\***

**BUILDING AND CONSTRUCTION**

The electrical industry was the subject of several bills that passed out of the Committee. **HB 2253**, which was enacted, responds to a determination that work performed on cables that carry both data and low voltage electricity, such as power over Ethernet devices, may not be performed by a telecommunications worker but must be performed by a limited energy specialty electrician, known as an 06, or a journey level electrician. The bill does two things. First, it modifies the scope of work that may be performed by a telecommunications worker to include providing operational power in certain circumstances. Second, it creates a window, until July 1, 2015, when certain telecommunications workers may apply their work experience towards meeting the requirements for obtaining a limited energy system specialty electrician (06) certificate. (The second element was **HB 2254**, which died on second reading in the Senate.) Another electrical industry bill was **ESHB 2500**, which would have required a person to complete an apprenticeship program to obtain a journey level or residential specialty electrician certificate beginning July 1, 2019. This bill died in the Senate Commerce and Labor Committee.

As a result of **SHB 2146**, beginning July 1, 2015, the bond amount persons in the construction, electrical, and conveyance trades must post to appeal penalties is changed from \$200 to \$200 or 10 percent of the penalty, whichever is less, with a \$100 minimum.

**SHB 2501**, which died in the House Rules Committee, would have made two primary changes to contractor registration. Applicants would have been required to show proof of workers' compensation and employment security accounts, even if they had no employees. In addition, applicants would have been required to complete a pre-registration training program or pay an additional \$200 to register.

**COLLECTIVE BARGAINING**

**HB 2718**, which died in the House Rules Committee, would have repealed the statutes requiring the setting of crew size on passenger and freight trains to be in accordance with a collective bargaining agreement or settlement. The bill would have required certain trains to operate with no less than two qualified crew members.

Two bills referred to the Committee would have amended provisions in the Public Employees' Collective Bargaining Act (PECBA). **HB 2755** did not receive a public hearing but was the subject of a work session. The bill would have removed the authority under the PECBA of an employer to unilaterally implement changes in the terms and conditions of a collective

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\*This summary describes major legislation referred to the Committee in 2014 or referred to the Committee in 2013 on which the Committee or the House took action in 2014. The tables following include all bills referred to the Committee in 2014 or referred to the Committee in 2013 on which the Committee or the House took action in 2014.

bargaining agreement subsequent to an impasse being reached in bargaining. **SB 6445** would have amended the definition of "uniformed personnel" for the purposes of binding interest arbitration under the PECBA. The bill would have added court protection employees and court marshals who meet certain criteria to the definition. The bill died in the House Rules Committee.

**HB 1348**, which the Committee passed in 2013 and the House passed in 2014, would have required the boards of community and technical colleges to award step increases to academic employees based on collective bargaining agreements. The step increases would have been permitted to exceed compensation provided by the Legislature. The bill died in the Senate Commerce and Labor Committee.

## **EMPLOYMENT**

Several bills addressed independent contractor issues. These included **HB 2334**, which would have prohibited misclassification of employees as independent contractors under the new Employee Fair Classification Act (EFCA). An independent contractor definition under the EFCA would have replaced tests in many other areas of employment law under this bill. **HB 2334** died in the Senate Commerce and Labor Committee. **SHB 2147**, which died in the House Appropriations Committee, would have created voluntary independent contractor exemption certification, under which persons meeting certain requirements and obtaining a certificate would be exempt from industrial insurance and other employment laws.

**HB 2545** addressed the type of information employers would be allowed to receive for the purposes of applicant screening. The bill, which died in the House Rules Committee, would have, among other things, prohibited an employer from inquiring about nonconviction information on any application of employment before determining whether the applicant was qualified for the position. The bill provided exceptions for certain jobs and created a cause of action for damages.

**SSB 5123** passed out of the Committee in 2013 and again in 2014, when it was enacted. The bill creates a farm internship pilot project similar to a pilot that took place in 2010 and 2011. Farm interns are exempt from minimum wage requirements, and a special workers' compensation risk classification is created for farm interns.

Paid sick and safe leave was the subject of **ESHB 1313**. This bill, which died in the Senate Commerce and Labor Committee, would have required employers with more than four full-time equivalent employees to provide paid leave for: (1) specified medical reasons relating to the employee's or a family members' health; (2) domestic violence, sexual assault, and stalking; and (3) closure of the employee's place of business or child's school or place of care due to a public health emergency.

The Committee heard, but did not take action on, a proposal to provide for paid vacation leave. **HB 2238** would have required accrual of paid vacation leave for employees who work an average of 20 or more hours per week for employers with 25 or more employees.

## PREVAILING WAGE

Several bills addressed how prevailing wage rates are calculated. **HB 2209** and **HB 2210** were heard but did not pass out of the Committee. **HB 2209** would have required the prevailing wage rate to be based on the hourly wage, usual benefits, and overtime pay in trades and occupations on nonpublic works. **HB 2210** would have required the Department of Labor and Industries to use a stratified random sampling method when establishing prevailing wage rates. **HB 2527**, which died in the Senate Rules Committee, would have required prevailing wage rates to be established based on the wages, benefits, and overtime pay in collective bargaining agreements.

**HB 2299**, which was heard but did not pass out of Committee, would have permitted local governments to opt out of prevailing wage requirements for public works estimated to cost less than \$5 million.

A prevailing wage bill that passed the Legislature and was signed by the Governor is **SHB 1254**. That bill prohibits the Department of Labor and Industries from collecting the certification fee, when an individual or entity files its "Affidavit of Wages Paid," if the individual or entity is exempt from prevailing wage rate requirements.

## SAFETY AND HEALTH

**SHB 2477** would have required the Department of Labor and Industries to report to the Legislature by December 1, 2014, any recommendations for legislation or rulemaking to address workload and safety standards for employees of commercial janitorial services. Before being amended in Committee, the bill would have required the Department to establish workload standards specifying that the maximum square footage of cleanable area per an employee's eight-hour shift could not exceed 30,000 square feet. The bill died in the House Rules Committee.

**SHB 2541**, which died in the Senate Rules Committee, would have exempted certified miniature hobby boilers from inspection requirements under the boiler and unfired pressure vessel laws.

**SHB 2576** would have required the Department of Labor and Industries to convene a workgroup to discuss establishing policies for mandatory reporting of all hazardous exposures suffered by firefighters. The bill passed the House, was heard in the Senate Commerce and Labor Committee, but died in that committee.

## WAGE AND HOUR

The Committee heard bills addressing minimum wage issues, training wages, and wage payment violations. Regarding minimum wages, the Committee heard **HB 2672**, which would have increased the state minimum wage rate to \$12 per hour over the course of three years. The bill passed the Committee but died in the Appropriations Committee. **HB 2608**, which also died in the Appropriations Committee, would have established a minimum wage rate of \$15 per hour for classified public school employees, starting January 1, 2015, with the wage rate being adjusted for inflation each year after.

**HB 2614** would have created a training wage certificate to allow employers to pay new

employees 75 percent of the state minimum wage or the federal minimum wage, whichever amount is higher. The bill capped the training period at 680 hours and prohibited an employer from using the training certificate more than once per employee. The bill was heard in the Committee but no executive action was taken.

**HB 2332** addressed wage violations by increasing the damages, from double damages to triple, that an employer would have been liable for under a civil action if the employer unlawfully collected a rebate from an employee's wages or willfully paid an employee lower wages than required. The bill also would have allowed an employee to bring a civil action for damages even if the employee knowingly submitted to the wage violation. The bill passed the House but died in the Senate Commerce and Labor Committee.

Another bill addressing wage violations was **SB 5158**. The bill is the companion to **HB 1462**, which the Committee heard in 2013. The Senate bill, which died in Committee, would have provided that an employer would not be liable for failing to pay minimum wage or overtime, if the employer acted in good faith conformity with and reliance on a wage payment rule, or an order, an opinion, a determination, a policy, or advice of the Department of Labor and Industries.

**SHB 2331**, which died in the Senate Commerce and Labor Committee, would have required contractors and subcontractors on public works projects to submit certified payroll records to the contracting agency before the agency made any payments and before releasing any retainage to the contractor.

**SSB 5360**, which was introduced in 2013 and passed and enacted in 2014, permits the Department of Labor and Industries to electronically serve a financial institution with a Notice and Order to Withhold and Deliver by providing a list of outstanding wage warrants to the Department of Revenue.

Retaliation was the subject of **2SHB 2333**. Parallel provisions prohibiting retaliation for engaging in specified activities would have been created in several wage laws. Criminal and civil penalties, a private cause of action, and other remedies would have been created. The bill died in the Senate Commerce and Labor Committee.

## **WORKERS' COMPENSATION**

**SB 6522**, which was signed by the Governor, makes information submitted to the Board of Industrial Insurance Appeals during the structured settlement agreement process exempt from public disclosure, except final orders. The bill also provides that information gathered during the agreement process is inadmissible in future litigation.

Also signed by the Governor was **SHB 2318**. Under the bill, nonemergency transportation brokers that operate as not-for-profit businesses are not liable for a subcontractor's industrial insurance premiums if the subcontractor has an industrial insurance account in good standing with the Department of Labor and Industries or is a self-insurer and the subcontractor maintains a separate set of books or records reflecting its income and expenses. The bill applies to

transportation brokers contracting with the Health Care Authority to provide transportation to Medicaid clients.

**SHB 2152**, which died in the Senate Commerce and Labor Committee, would have changed workers' compensation coverage for owner/lessor drivers of for-hire vehicles, taxicabs, and limousines from mandatory to elective coverage.

As in 2013, the Committee heard but did not take action on **SB 5112**, which would have allowed retrospective rating employers and groups to schedule independent medical exams and consultations and vocational rehabilitation assessments.

**HB 2295** would have provided that an injured worker is not entitled to benefits other than medical if the worker's being under the influence of liquor or any drug was the primary cause of the worker's injury or death. **SSB 6179** would have authorized group self-insurance for employers who are substantially similar. The Committee heard, but did not take action on these bills.

## **WORKFORCE DEVELOPMENT**

**SCR 8409**, which passed the Legislature, is identical to **HCR 4403** that was introduced in 2013. It is the Legislature's approval of the state comprehensive plan for workforce training (called "High Skills, High Wages 2012-2022") that was submitted by the Workforce Training and Education Coordinating Board.

**SHB 2526** passed the Committee, was referred to and passed the Capital Budget Committee with changes, and died in the House Rules Committee. The original bill would have: added noncompliance with the apprenticeship utilization requirements as one of the violations that count towards debarring a contractor from bidding on public works; required the Department of Enterprise Services to monitor contractors' compliance with apprenticeship utilization requirements; and created a preference, for purposes of determining the lowest responsible bidder on a public works contract, for bidders that employ apprentices. The bill as recommended by the Capital Budget Committee removed the provisions of the original bill and instead would have required the Department of Enterprise Services to post on its website apprenticeship utilization of contractors on active public works projects.

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**Enacted**

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<b><i>BUILDING AND CONSTRUCTON</i></b>			
SHB 2146	Condotta	<b>Department of Labor and Industries Appeal Bonds</b> - Changes bond amounts to appeal certain decisions of the Department of Labor and Industries from \$200 to 10 percent of the penalty amount or \$200, whichever is less, with a \$100 minimum, beginning July 1, 2015.	C 190 L 14
HB 2253	Manweller	<b>Telecommunications</b> - Modifies the scope of telecommunications work to include providing operational power in certain circumstances. Allows, until July 1, 2015, certain telecommunications workers to apply unsupervised work experience towards meeting the requirements for a limited energy system specialty electrician certificate of competency.	C 156 L 14
SSB 6046	Keiser	<b>Elevator Whistleblower Complaint Procedures</b> - Creates timelines and notification requirements for the processing, by the Human Rights Commission, of elevator whistleblower complaints.	C 49 L 14
<b><i>EMPLOYMENT</i></b>			
SSB 5123	Ranker	<b>Farm Internship Pilot Project</b> - Creates a farm internship pilot project similar to the 2010-2011 pilot project, and allows participation by small farms in Chelan, Grant, Island, Jefferson, King, Kitsap, Kittitas, Lincoln, Pierce, San Juan, Skagit, Snohomish, Spokane, Thurston, Whatcom, and Yakima counties. Provides that farm interns are exempt from minimum wage requirements and for a special workers' compensation risk classification for farm interns.	C 131 L 14
<b><i>WAGE AND HOUR</i></b>			
SHB 1254	Manweller	<b>Prevailing Wage Intents and Affidavits</b> - Prohibits the Department of Labor and Industries from collecting an affidavit certification fee from individuals or entities that are exempt from the requirement to pay prevailing wage.	C 148 L 14
SSB 5360	Conway	<b>Collection of Unpaid Wages</b> - Allows the Department of Labor and Industries to electronically serve a financial institution with a Notice and Order to Withhold and Deliver for unpaid wages by providing a list of outstanding warrants to the Department of Revenue.	C 210 L 14

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<b><i>WORKERS' COMPENSATION</i></b>			
SHB 2318	Seaquist	<b>Contractor Liability</b> - Provides that not-for-profit nonemergency transportation brokers of Medicaid clients are not liable for a subcontractor's industrial insurance premiums if the subcontractor has an industrial insurance account in good standing or is a self-insurer, and it maintains a separate set of books or records.	C 193 L 14
SB 6522	Holmquist	<b>Structured Settlement Agreement Information</b> - Exempts information related to workers' compensation structured settlement agreements submitted to the Board of Industrial Insurance Appeals from public disclosure, except final orders. Provides that information gathered during the structured settlement agreement process is inadmissible in future litigation.	C 142 L 14
<b><i>WORKFORCE DEVELOPMENT</i></b>			
SCR 8409	Bailey	<b>State Comprehensive Plan</b> - Approves the state comprehensive plan for workforce training, "High Skills, High Wages 2012-2022," submitted by the Workforce Training and Education Coordinating Board.	S Filed Sec/St

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**Other Bills Passed out of Committee\*\***

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
<i><b>BUILDING AND CONSTRUCTION</b></i>			
SHB 2145	Condotta	<b>Dumbwaiters</b> - Provides for dumbwaiters to be inspected every two years, rather than annually, unless a dumbwaiter is in an unsafe condition. Requires inspectors from the Department of Labor and Industries to provide 10 days' notice of a dumbwaiter inspection.	H Rules
HB 2254	Manweller	<b>Telecommunications</b> - Allows, until July 1, 2015, certain telecommunications workers to apply unsupervised work experience towards meeting the requirements for a limited energy system specialty electrician certificate of competency. Identical provisions enacted (HB 2253).	S 2nd Reading
SHB 2275	Van de Wege	<b>Electrical Employee Whistleblowers</b> - Creates a cause of action for electrical employee whistleblowers who are subjected to adverse action.	H 2nd Reading
ESHB 2500	Reykdal	<b>Apprenticeship Requirement for Journey Level or Residential Specialty Electricians</b> - Requires completion of an apprenticeship program to obtain a journey level or residential specialty electrician certificate beginning July 1, 2019.	S Commerce and Labor
SHB 2501	Ormsby	<b>Contractor Registration Applications</b> - Requires first-time contractor registration applicants to complete a contractor pre-registration training program or pay an additional \$200. Requires applicant to show proof of workers' compensation and employment security accounts, even if they have no employees.	H Rules

\*\*The status indicated is prior to the transmission of bills to the original house and adjournment sine die of the 2014 regular session.

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SB 6206	Honeyford	<b>Telecommunications Scope</b> - Modifies the scope of telecommunications work to include providing operational power in certain circumstances. Companion bill (HB 2253) enacted.	H Rules
<b><i>COLLECTIVE BARGAINING</i></b>			
HB 1348	Reykdal	<b>Community and Technical College Faculty</b> - Requires the boards of community and technical colleges to award step increases to academic employees based on collective bargaining agreements, even if increases exceed compensation provided by the Legislature.	S Commerce and Labor
HB 2718	Haler	<b>Setting Crew Size of Certain Trains</b> - Requires a railroad transporting freight or passengers to operate all trains over its roads with crews consisting of no less than two qualified crew members.	H 2nd Reading
SSB 6445	Roach	<b>Binding Interest Arbitration</b> - Includes as "uniformed personnel," for the purposes of interest arbitration under the Public Employees' Collective Bargaining Act, court protection employees and court marshals who meet certain criteria.	H Rules
<b><i>EMPLOYMENT</i></b>			
ESHB 1313	Jinkins	<b>Paid Sick Leave</b> - Requires employers with more than four full-time equivalent employees to provide paid leave to employees for: (1) specified medical reasons relating to the employee's or family member's health; (2) reasons permitted under existing law requiring unpaid leave for purposes related to domestic violence, sexual assault, and stalking; or (3) closure of the employee's place of business or child's school or place of care due to specified public health emergencies.	S Commerce and Labor
SHB 2147	Condotta	<b>Independent Contractor Exemption Certification</b> - Allows persons who meet certain requirements to obtain an independent contractor exemption certificate from the Department of Labor and Industries. Provides that persons working under a certificate are exempt from industrial insurance, minimum wage and overtime, prevailing wage, and unemployment insurance.	H Approps

BILL NO.	PRIME SPONSOR	SUMMARY	STATUS
SHB 2230	Sells	<b>Employer Reimbursement</b> - Requires an employer to reimburse an employee for any cell phone and cell phone plan if the employer requires the employee to use a cell phone in the discharge of the employee's duties.	H Rules
HB 2334	Riccelli	<b>Misclassification</b> - Creates the Employee Fair Classification Act, which prohibits misclassification of employees as independent contractors and creates remedies, including civil penalties and administrative and court actions for damages. Defines "independent contractor" for purposes of the Employee Fair Classification Act and establishes the same definition for purposes of the Minimum Wage Act, unemployment insurance, industrial insurance, and other employment laws.	S Commerce and Labor
HB 2545	Moscosco	<b>Employers' Access to Applicant Information</b> - Prohibits an employer from: inquiring about nonconviction information on any application of employment before determining whether the applicant is qualified for the position; advertising job openings in a way that excludes people with nonconviction records from applying; or implementing any policy or practice that automatically or categorically excludes all individuals with a nonconviction record from any employment position. Provides exceptions for certain employment positions and creates a cause of action.	H Rules
<b><i>PREVAILING WAGE</i></b>			
HB 2527	Ormsby	<b>Prevailing Wage Rates Based on Collective Bargaining Agreements</b> - Requires the prevailing wage rate to be established by adopting the hourly wage, usual benefits, and overtime pay established in collective bargaining agreements for trades and occupations that have collective bargaining agreements.	S Rules
<b><i>SAFETY AND HEALTH</i></b>			
SHB 2477	Reykdal	<b>Workload Standards for Commercial Janitors</b> - Requires the Department of Labor and Industries to report to the Legislature by December 1, 2014, any recommendations for legislation or rulemaking addressing workload and safety standards for employees of commercial janitorial services.	H 2nd Reading

<b>BILL NO.</b>	<b>PRIME SPONSOR</b>	<b>SUMMARY</b>	<b>STATUS</b>
SHB 2541	Haigh	<b>Inspection of Miniature Hobby Boilers</b> - Exempts certified miniature hobby boilers from inspection requirements and other provisions under the boiler and unfired pressure vessels laws.	S Rules
SHB 2576	Reykdal	<b>Exposure to Hazards by Firefighters</b> - Requires the Department of Labor and Industries to convene a workgroup, beginning July 1, 2014, to discuss establishing a policy of mandatory reporting of all hazardous exposures suffered by firefighters.	S Commerce and Labor
SSB 6290	Sheldon	<b>Inspection of Miniature Hobby Boilers</b> - Exempts certified miniature hobby boilers from inspection requirements and other provisions under the boiler and unfired pressure vessels laws.	H Rules
<b><i>UNEMPLOYMENT INSURANCE</i></b>			
HB 1684	Reykdal	<b>Suitable Work/Minimum Age</b> - States expressly and requires that work for which an individual does not meet minimum age requirements does not constitute suitable work for purposes of work search and work refusal requirements for unemployment compensation eligibility.	S Rules
<b><i>WAGE AND HOUR</i></b>			
2ESHB 1467	Green	<b>Collection of Wages</b> - Permits the Department of Labor and Industries to electronically serve a financial institution with a Notice and Order to Withhold and Deliver. SSB 5360 was enacted into law.	S Commerce and Labor
SHB 2331	Sells	<b>Payroll Records</b> - Requires contractors and subcontractors on public works projects to submit certified payroll records to the awarding agencies before any payments or final payments are made or before the retainage is released to the contractors.	S Commerce and Labor

<b>BILL NO.</b>	<b>PRIME SPONSOR</b>	<b>SUMMARY</b>	<b>STATUS</b>
HB 2332	Sawyer	<b>Wage Payment Violations</b> - Provides that an employer that unlawfully collects a rebate from an employee's wages or willfully pays an employee lower wages than required is liable for triple damages, rather than double, in a civil action. Removes the provision in the damages statute that bars an employee from obtaining higher damages if the employee knowingly submitted to the wage violation.	S Commerce and Labor
2SHB 2333	Ryu	<b>Retaliation</b> - Creates parallel retaliation provisions in several wage and related laws. Establishes criminal penalties and administrative and court enforcement for violation of retaliation provisions.	S Commerce and Labor
HB 2608	Sells	<b>Minimum Wage for Classified School Employees</b> - Establishes a minimum wage of \$15 per hour for classified public school employees, beginning January 1, 2015, and requires the wage rate to be adjusted for inflation beginning January each year after.	H Approps
HB 2672	Farrell	<b>Minimum Wage Increase</b> - Increases the state minimum wage rate to \$12 per hour over the course of three years.	H Approps
<b><i>WORKERS' COMPENSATION</i></b>			
SHB 2152	Habib	<b>For-hire Vehicle, Taxicab, and Limousine Operators</b> - Exempts operators of for-hire-vehicles, taxicabs, and limousines who own or lease the vehicle from mandatory industrial insurance, and allows elective coverage.	S Commerce and Labor
<b><i>WORKFORCE DEVELOPMENT</i></b>			
2SHB 1072	Chandler	<b>Agricultural Skills and Safety</b> - Creates the Agricultural Labor Skills and Safety Grant Program, administered by the Department of Commerce.	S 2nd Reading
SHB 2526	Moeller	<b>Apprenticeship Utilization</b> - Requires the Department of Enterprise Services to post on its website contractors' apprenticeship utilization on public works contracts.	H 2nd Reading

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**Bills Referred to Committee**

BILL NO.	PRIME SPONSOR	SUMMARY
<b><i>BUILDING AND CONSTRUCTION</i></b>		
HB 2113	Short	<b>Small Job Contractor Registration Exemption</b> - Increases the dollar value for the small job exemption from \$500 to \$1,200. Modifies the advertising restriction to remove the prohibition on advertising that might indicate the person is a contractor or is qualified to be a contractor and instead prohibits stating that one is a contractor.
HB 2260	Buys	<b>Dwelling Unit Fire Protection Sprinkler Systems</b> - Requires the State Fire Marshal to adopt rules: (1) Creating a special contractor license for dwelling unit fire protection sprinkler system contractors and a parallel certificate of competency; and (2) authorizing plumbing contractors to install dwelling unit fire sprinkler systems if the design is provided by a fire protection sprinkler system or dwelling unit contractor.
HB 2323	Shea	<b>Electrician Identification Requirements</b> - Eliminates the authority of the Department of Labor and Industries to require electricians to wear and visibly display their certificate of competency.
HB 2533	Hurst	<b>Pump and Irrigation and Domestic Pump Electrical Specialty Trainee Classroom Training</b> - Provides that for a pump and irrigation or domestic pump specialty trainee, the classroom training required to renew a training certificate may comprise both electrical and plumbing education.
HB 2652	Reykdal	<b>Contractor Registration Numbers on Vehicles</b> - Requires contractor advertising on vehicles that shows the contractor's name and address to show the contractor's registration number.
<b><i>COLLECTIVE BARGAINING</i></b>		
HB 2274	Reykdal	<b>Assistant Attorneys General Collective Bargaining</b> - Allows assistant attorneys general to collectively bargain with the Attorney General or his or her designee.
HB 2755	Sells	<b>Unilateral Implementation of a Collective Bargaining Agreement</b> - Removes the authority of an employer under the Public Employees' Collective Bargaining Act to unilaterally implement any changes to employment conditions when there has been a good faith impasse in collective bargaining.

BILL NO.	PRIME SPONSOR	SUMMARY
HB 2775	Tarleton	<b>Work Jurisdictions of Unions in Public Works Contracting</b> - Provides that when the state or municipality contracting for construction hires or uses a contractor who is party to a labor agreement, the state or municipality must ensure that any existing work jurisdiction of a union on the property is respected and preserved.
<b><i>EMPLOYMENT</i></b>		
HB 2258	Buys	<b>Construction Independent Contractor Test</b> - Modifies independent contractor test for the construction industry for purposes of industrial insurance, unemployment insurance, prevailing wage, the Minimum Wage Act, and the Washington Industrial Safety and Health Act. Provides that an individual is an independent contractor if the individual has the required accounts for purposes of state taxes, and is registered as a contractor or licensed as an electrical contractor.
HB 2591	Schmick	<b>Local Employment Law and Contract Preemption</b> - Preempts cities, counties, and port districts from regulating payment of wages, hours of work, employee retention, and leave from employment for private employers by law or contract.
HB 2238	Tarleton	<b>Paid Vacation Leave</b> - Requires accrual of paid vacation leave for employees who work an average of 20 or more hours per week for employers with 25 or more employees.
<b><i>PREVAILING WAGE</i></b>		
HB 2209	Manweller	<b>Nonpublic Works</b> - Changes the definition of prevailing rate of wage to mean the hourly wage, usual benefits, and overtime paid in the trade or occupation on nonpublic works.
HB 2210	Manweller	<b>Method of Establishing Prevailing Wage</b> - Requires the Department of Labor and Industries to use a stratified random sampling method when establishing prevailing wage rates.
HB 2299	Pike	<b>Local Government Opt Out</b> - Permits a county, municipality, or political subdivision to opt out of the prevailing wage requirements for public works and public building service maintenance contracts that cost less than \$5 million.
HB 2692	Manweller	<b>Tracking of Prevailing Wage Surveys</b> - Requires the Department of Labor and Industries to keep track of the number of wage surveys it sends and number of responses it receives from employers, unions, and interested parties.

BILL NO.	PRIME SPONSOR	SUMMARY
<b><i>UNEMPLOYMENT INSURANCE</i></b>		
HB 2690	Holy	<b>Community Service Requirements</b> - Requires performance of community service to be eligible for unemployment benefits, with some exceptions.
<b><i>WAGE AND HOUR</i></b>		
HB 2614	Pike	<b>Training Wages</b> - Creates a training wage certificate for employers to pay new employees 75 percent of the state minimum wage or the federal minimum wage, whichever is greater, for a limited time.
SB 5158	Braun	<b>Limiting Employer Liability</b> - Provides that an employer is not liable for failing to pay minimum wage or overtime, if the employer acted in good faith conformity with and reliance on a wage payment rule, or an order, an opinion, a determination, a policy, or advice of the Department of Labor and Industries.
<b><i>WORKERS' COMPENSATION</i></b>		
HB 2295	Pike	<b>Use of Intoxicating Liquor or Drugs</b> - Provides that a worker is not entitled to benefits (other than medical) if the worker's being under the influence of liquor or any drug was the primary cause of the injury or death.
HB 2360	Kochmar	<b>Payment Requirements for Court Review of Taxes, Penalties, or Interest</b> - Provides that an employer appealing a Board of Industrial Insurance Appeal's decision regarding taxes, penalties, or interest to court is not required to pay the amounts in full in specified circumstances.
HB 2731	Haler	<b>Auditing Employers for Compliance</b> - Restricts the Department of Labor and Industries' authority when auditing an employer for violations of workers' compensation premiums. Requires the Department to provide employers with advance notice and requires written consent from the employer before any onsite inspection.
SB 5112	Holmquist Newbry	<b>Retrospective Rating Employer and Group Authority</b> - Gives retrospective rating employers and groups authority to schedule independent medical examinations and consultations and vocational assessments.
2ESSB 5127	Holmquist Newbry	<b>Structured Settlements</b> - Eliminates the age requirements for injured workers to be eligible for structured settlement agreements. Specifies that a best interest determination by the Board of Industrial Insurance Appeals is not a requirement of a structured settlement agreement for workers represented by counsel.