



Questions & Answers – New Affidavit Filing Fee Exemption

1. What law changed and what do I need to know?

In the 2014 legislative session, RCW [39.12.070](#) was amended to create an Affidavit of Wages Paid filing fee exemption. Starting Thursday, June 12, 2014, if a contractor files an Affidavit of Wages Paid and they are exempt from having to pay prevailing wages, they do not have to pay the filing fee. The fee exemption applies to both online filing and paper forms.

2. Who exactly is exempt?

All contractors and all subcontractors on public works (construction, reconstruction, maintenance, replacement or repair performed at a cost to state or local government agencies) must file Intent and Affidavit forms that normally require a \$40 filing fee each. A new Affidavit filing fee exemption applies to contractors performing public works contracts without any prevailing wage eligible employees:

- a. Sole owners and their spouses (i.e. owner operators);
- b. Any partner who owns 30% or more of a partnership;
- c. The President, V.P. and Treasurer of a corporation if each one owns 30% or more;
- d. Contractors and subcontractors working under the federal [Housing Act of 1937 exemption](#);
- e. Contractors who have no eligible employees (usually because all contract work was subcontracted.)

3. Does my company still have to file an Affidavit of Wages Paid?

Yes, you are still required to file the Affidavit. However, contractors who qualify for the Affidavit fee exemption will not have to pay to file the Affidavit. The Prevailing Wage Intents and Affidavits (PWIA) filing system has been modified to accommodate these filings without charging a fee.

4. Does my company still have to pay the Statement of Intent fee?

Yes, the law change only applies to the filing fee for the Affidavit of Wages Paid.

5. What is the filing fee that an exempt contractor will have to pay to file the combined Intent/Affidavit form for projects between \$2,500 and \$35,000?

Combined forms can only be used when authorized by the contract awarding agency. For the combined \$35,000 form, the filing fee is \$80. However, an exempt contractor pays \$40 (only for the Intent portion). Remember, there are still no filing fees for the under \$2,500 combined form.

6. Where can I get further information if I have questions?

If you have further questions, please contact L&I at pw1@Lni.wa.gov or (360) 902-5335.