

Meeting Minutes  
 Prevailing Wage Advisory Committee (PWAC)  
 May 3, 2022  
 1:30 – 4:00pm  
 Zoom

Attendees (taken from meeting participant list): Jason Overbey; Yvonne Nemes; Bonnie Dressel; Megan Kistler; Jamie Blacksmith; Alison Carchedi; Amy Ledesma; Andrew; Ann Garcia; Ashley Warren; Billy Wallace; Brett Wideman; Bryan Johnson; Camryn Growden; Carlos Moreira; Cassie Langton; Celeste Monahan; Chad Campbell; Chuck Ziegert; Crystal Lyons; Dave Benson; David Ciprut; Derek Patches; Donn Falconer; Ed Kommers; Elizabeth Smith; Ellen Saline; Ginny Justiniano; Harvey Means; Heather K.; Jeff Vest; Jim Christensen; Jim Kaltenbaugh; Jody Robbins; Joe Gaylor; Joel Sacks; John Nelson, Jolene Skinner; Jonathan Sites; Jordon Jungnitz; Josh Swanson; Julie Muller; Karen Dykstra; Kathleen Schirmer; Keith Weir; LeighAnn Dryer; Letty Alvarez; L. Willeman; Mallorie Davies; Maria Swinger-Inskeep; Mario Silva; Mark Riker; Mark Wells; Matthew Erlich; Michael de Give; Monty Anderson; Nichole Blackwood; Paulie Williams; Randy Littlefield; Reasa Pearson; Richard Geyer; Richard Stone; ricw235; Robert Driskell; Ryan Berendsen; Scott Davis; Sean Anderson; Shari Reiter-Johnson; Shaun Kerney; Sheri Call; Sonny; Sophia Steele; Tessa Southards; Tiffany; Tracy Townsend; Van Hurst; Rovie Reiswig; 1425\*\*\*\*300.

<b>Agenda Item</b>	<b>Discussion</b>
Opening Remarks Introductions Safety Tip	Jim Christensen – L&I <ul style="list-style-type: none"> <li>• Committee members introduce themselves – None</li> <li>• Contractor reps introduce themselves – Ed Kommers, Sophie Steele</li> <li>• Labor reps introduce themselves – Monty Anderson, Mark Riker, Josh Swanson</li> <li>• Rules – same with less interruptions. Public discussion at the end.</li> <li>• <b>Safety Topic:</b> Vehicle accident checklist and things to remember</li> </ul>
Last PWAC meeting for Jim – Recognized	Elizabeth Smith & Joel Sacks - L&I <ul style="list-style-type: none"> <li>• Thanks for your commitment and everything you do. You’ll be missed.</li> </ul>
PWAC Draft Meeting Minutes from December 9, 2021	Jim Christensen – L&I <ul style="list-style-type: none"> <li>• <b>Draft minutes</b> from December 9, 2021 – previously sent to committee members, do they accurately reflect what we went over? Motion to approve?</li> </ul> Josh Swanson – IUOE Local 302

	<ul style="list-style-type: none"> <li>• Motioned to approve and was seconded.</li> </ul> <p>Jim Christensen – L&amp;I</p> <ul style="list-style-type: none"> <li>• Minutes are approved and will be on our website, <a href="http://lni.wa.gov">lni.wa.gov</a>, for everyone to view.</li> </ul>
<p>General Topics/Program updates</p> <ul style="list-style-type: none"> <li>• Cases Resolved</li> <li>• Wages Collected</li> <li>• Strike &amp; Debarments</li> <li>• Time to Resolve Cases</li> <li>• Month to Month Changes</li> <li>• IRA Vacancies</li> <li>• Intents &amp; Affidavits</li> <li>• Governor’s Budget Package 2022 Session</li> <li>• Prevailing Wage Budget Package</li> <li>• Certified Payroll Filings</li> <li>• Rulemaking &amp; Policy Updates</li> <li>• Questions</li> </ul>	<p><b>Cases Resolved:</b> Reasa Pearson – L&amp;I</p> <ul style="list-style-type: none"> <li>• Discussion: 1st quarter 2022 cases resolved</li> </ul> <p><b>Wages Collected:</b> Reasa Pearson – L&amp;I</p> <ul style="list-style-type: none"> <li>• Discussion: This year wages collected</li> </ul> <p><b>Strike &amp; Debarments:</b> Reasa Pearson – L&amp;I</p> <ul style="list-style-type: none"> <li>• Discussion: All of 2021 in quarterly out and so far in 1st quarter 2022.</li> </ul> <p><b>Time to Resolve Cases:</b> Chuck Ziegert – L&amp;I</p> <ul style="list-style-type: none"> <li>• Discussion: Making progress. Keeping yellow out of danger zone.</li> </ul> <p><b>Month to Month Changes:</b> Chuck Ziegert – L&amp;I</p> <ul style="list-style-type: none"> <li>• Discussion: Some decrease. Focusing on older cases.</li> </ul> <p><b>IRA Vacancies:</b> Chuck Ziegert – L&amp;I</p> <ul style="list-style-type: none"> <li>• Discussion: As of May 16, 2022 all positions filled (13 investigators). Getting them all trained up.</li> </ul> <p>1) Josh Swanson – IUOE Local 302: Any single source? Off street or internal state transfers. Audit base backgrounds?</p>

- Chuck Ziegert – L&I: No, all over place. Really good backgrounds but all were state transfers. Yes, audit base backgrounds and team players.

**Intents & Affidavits:**

Reasa Pearson – L&I

- Discussion: Comparisons between 2020 and 2021. Went up a lot.

**Governor’s Budget Package 2022 Session:**

Jolene Skinner – L&I

- Discussion: Two packages. IT project package was separate and awarded to us. Prep phase. Also adding 2 IT full time employees. Other part of package was adding 6 prevailing wage investigators.

1) Mark Riker – Washington State Building Council: When will they be hired?

- Jamie Blacksmith – L&I: Hope to complete by October.

**Prevailing Wage Budget Package:**

Jolene Skinner – L&I

- Discussion: Putting a proposal together for 2023 session. Redesigned public search tool with more data, redesigns, additional tools, updates and allow dual-agency access. However, 4-10 agreement updates are on hold.

**Certified Payroll Filings:**

Jolene Skinner – L&I

- Discussion: Still have issue with contractors not filing certified payroll (CP) reports. Having hiccups due to being short-staffed. Showed quick stats for 2020 and 2021 with intents with no CP filed.

1) Billy Wallace – NW Laborers: – Daunting task. Is it possible? Very concerning. Let us know if you need help.

- Jolene Skinner – L&I: Agreed. We are having challenges.

2) Josh Swanson – NW Laborers: Can you do a portal where we just log in and get CP that we need and not rely on L&I.

- Jolene Skinner – That is part of the proposal package. Just need funding to do that body of work.

3) Mark Riker – Washington State Building Council: Folks that didn't file what is the common reason? Sense of the ones that took the course/training? Is it effective or not? We need to be able to measure this.

- Bonnie Dressel & Jolene Skinner – Lack of knowledge. Didn't think it applied to them. More education needed. Was not required before 2020. Tried to educate before the date took place. It's about how we get people to pay attention.  
Training was not included in the data set she has didn't include this information at the time.

4) Ed Kommers – Mechanical Contractors Association of Western Washington: We are having same issue and will help figure out solutions and suggestions.

- Jim Christensen – L&I: Happy we are having this discussion. L&I lacks the authority to withhold processing those forms due to CP. It has to go into law for that to happen.
- Jolene Skinner – L&I: Can get a list out to all members on contractors that didn't file CP's.

**Rulemaking & Policy Updates:**

Jim Christensen – L&I

- Discussion: Rulemaking petition for dump truck drivers. Wants rule to include empty trucks going back to yard. Is it commute time or prevailing wage time? Can we make the determination more clear? We think we should have written policy about it.

1) Josh Swanson – IUOE Local 302: Getting paid in front in or back in. One way or another you are prevailing correct?

- Jim Christensen – L&I: There are variables to the equation.

- Discussion: Ordinary Maintenance/HB 1975 Rulemaking.
- Discussion: Subprevailing wage certificate law – repealing rules related since law doesn't exist anymore.

**Questions?**

1) Mark Riker – Washington State Building Council: Who is replacing Jim after he retires?

- Celeste Monahan – L&I: This is last big position to fill. Recruitment announcement were confusing and not a robust applicant pool. Took a step back, reassessed recruitment, reopened, more outreach to get a better pool of applicants. Won't have filled before Jim's departure. Will have acting person in his place.

2) Josh Swanson – IUOE Local 302: Concerns with acting person – expectations and deliverables.

3) Mike Riker – Washington State Building Council: Concerns with acting person – timelines.

4) Josh Swanson – IUOE Local 302: CBA litigations update? Timeline with Supreme Court.

- Jim Christensen – L&I: AGC lawsuit? Yes. Hearing is on June 3rd or 6th. Big case for this community.

5) Jim Christensen – L&I: PWAC dates determination for this year?

- Yvonne Nemes – L&I: Waiting for Jim's replacement to determine.

6) Ginny Justiniano: Questions about rulemaking and policy. Definitions about dump truck drivers. Can you explain this again?

- Jim Christensen – L&I: Reading current policy and provisions. This is about a commute time petition and we have to make a written response.

7) Van Hurst – Commute is not an appropriate label. A better descriptor is mobilization/demobilization.

8) Nicole Blackwood-Rebound & Greg's I-Phone: Contractor didn't file CPR's even after requests by L&I so the project closed and we were unable to file a complaint. How does this get handled?

- Jim Christensen – L&I: Yes, you can file a complaint still.

**Meeting Adjourned**