

Meeting Minutes  
 Prevailing Wage Advisory Committee (PWAC)  
 October 26, 2023  
 1:00 – 3:30pm - Zoom

**Attendees:** Bonnie Dressel, Yvonne Nemes, Reasa Pearson, Bruce Chattin, Charles Ziegert, Alison Taylor, Amanda Goss, Amy Ledesma, Andrea Dahl, Ashley Warren, Bill Holeworth, Billy Wallace, Celeste Monahan, Craig Dyce, Cruzaj1, David Ciprut, David Jacobsen, Paul Doerner, Liz Smith, Ellen Saline, Shyann Emmons, Fernando A., James Mills, Jamie Blacksmith, Jared Ross, Jason Overbey, Jeff, Jeffrey Vest; Jennie Kordenat, Jerry Vanderwood, Jim Kaltenbaugh, Jody Robbins, Joe Baca, Joe Gaylor, Jolene Skinner, Kim, Kim Lee, KorriBus, Kristin Murphy, Lee Willeman, Lisa Boyd, Lisa Inghram, Mallorie Davies, Maria Swinger-Inskeep, Mario Silva, Matthew Erlich, Max Martin, Michael de Give, Nicole Blackwood, Noe Castillo, Paula Brantner-Thomas, Ramona Christensen-Russell, Randy Littlefield, Reed Simock, Sam Hem, Scott Davis, Scott Middleton, Sean Anderson, Shyann Emmons, Todd Grewell, Yvonne.Huynh.

<b>Agenda Item</b>	<b>Discussion</b>
<b>Opening Remarks/Roll Call, and Safety Talk</b>	<p><i>Jody Robbins (L&amp;I)</i>            Opens meeting at 1:02pm. Reviews agenda.</p> <p><i>Jamie Blacksmith (L&amp;I)</i>            Safety Talk: 10 Tips to Winterize Your Home</p> <p><i>Yvonne Nemes (L&amp;I)</i>            Roll Call – Members in attendance: Monty Anderson, Maria Swinger-Inskeep, Max Martin, Bruce Chattin, Jerry Vanderwood, and Scott Middleton.</p>
<b>PWAC Draft Meeting Minutes from 06.14.23</b>	<p><i>Jody Robbins (L&amp;I)</i>            Requests approval of the June 14, 2023 meeting minutes. No additions, deletions, or corrections brought forth. Motion to approve – Bruce Chattin. Second – Maria Swinger-Inskeep. None opposed. Minutes are approved and will be posted to the website.</p>
<b>General Topics/Program updates</b>	<p><b><u>Legislative Update</u></b>  <i>Jolene Skinner (L&amp;I)</i>            Presents slides and goes over key bills with IT impact –  <i>HB 1050 – Expanding apprenticeship utilization on public works projects (effective 07/01/2024)</i></p> <ul style="list-style-type: none"> <li>▪ New internal system to verify compliance</li> <li>▪ Adding category type to awarding agencies in PWIA – will allow for more detailed reporting on apprentice utilization, OMWBE utilization, contract type usage, etc.</li> </ul>

- Partnering with MSRE to deliver training between now and June, 2024
- Beginning with Cities, continuing onto Counties, and Ports providing in-person training

*HB 1323 – Training certification for fire-resistant materials (effective 07/23/2023)*

- Adding new strike and debarment for public works projects for second violation
- Still doing rulemaking

*SB 5088 – Adding contractor registration & licensing references to workers’ comp, public works, and prevailing wage (effective 07/23/2023)*

- Adding new strike and debarments for public works projects
- Adding letters to notify contractors when a strike/debarment has been issued
- Plumbers, Electrical, and Elevators

*SB 5268 – Modifying small works roster requirements (effective 07/01/24)*

- Updating contract types to match the new law
- Display new OMWBE Public Works Small Business Certification
- Limiting use of Combined Intent & Affidavit Form to projects less than \$5,000
- \$0 cost forms will be available when the contract amount is less than \$5,000 (currently \$2,500)
- Expedited rulemaking to update dollar threshold
- Working with DES, OWMBE, and MRSC on implementation of this bill and training

**Reasa Pearson (L&I) Update on dollar threshold:**

- Filed expedited 105 on October 3, 2023
- Objection deadline is December 4, 2023
- Filing 103 on December 5, 2023
- Effective July, 2024

**Jody Robbins (L&I)**

Charles Ziegert is developing training on small works for Awarding Agencies and Contractors to navigate the new requirements more efficiently and effectively

**IT Enhancements:**

Jolene Skinner (L&I) – presents slides with schedules and timelines 2023

- Q4
  - New reports for Awarding Agencies: not sure if we will meet that deadline due to challenges on the backend with onboarding and developing. Adding in a lot of new tools to get the AAs the reporting tools they need across projects, especially around diversity. New release date scheduled for the early January 2024.

2024

- Q1
  - Apprenticeship utilization tool (HB 1050) for internal verification
  - Download all certified payroll
  - Data.wa.gov updates
- Q2
  - New strikes and debarments (HB 1323 & SB 5088)
  - Various updates (HB 5268)
- Q3
  - Interested Party Portal (Part 1): focused on IT updates implemented prior to July
  - Various internal updates
- Q4
  - Wage lookup redesign
  - Data.wa.gov updates

2025

- Q1
  - Interested Party Portal (Part 2)
  - Public search redesign
  - View strike and debarments
  - View Apprenticeship utilization
- Q2
  - Various internal updates
- Q3
  - Dual agency access
- Q4
  - Various internal updates

2026

- Q1
  - Allow Contractors and AAs to manage notifications
  - Various updates

**Staffing/Hiring:**

*Jamie Blacksmith (L&I)*

- Of the current 41 FTEs we have allocated to the program we have the following vacancies:
  - 1 Industrial Relations Agent 4/Administrative
  - 1 Industrial Relations Agent 3/Investigations/Lead
  - 1 Industrial Relations Agent 2/NOV Desk

**Residential Survey Plans:**

Sean Anderson (L&I)

We are currently reviewing the results for the first round of surveys:

- Plumbers & Pipefitters
- Refrigeration Mechanics
- Sprinkler Fitters (Fire Protection)

Currently looking at updating survey methodology:

- Old method – no survey results, rate stays the same
- New method – updating all residential prevailing wage rates after a survey even if there's no results

We have a goal to finish a round of wage and hour surveys for all Residential Construction trades by Nov. 2025.

Upcoming surveys:

Round 2 – Winter 2023/2024 (for work performed from Oct. 1, 2022 through Sept. 30, 2023)

- Carpenters
- Drywall Applications
- Drywall Tapers
- Glaziers
- Insulation Applications
- Painters
- Soft Floor Layers

Round 3

- Brick Mason
- Electricians
- Marble Setters
- Stone Masons
- Terrazzo Workers
- Terrazzo/File Finishers
- Tile Setters

Round 4

- Labors
- Cement Masons
- Sheet Metal Workers

**Travel Time for Public Works Projects (notes by Kristin Murphy):**

*Reasa Pearson, Ramona Christensen-Russell, Ellen Saline (L&I)*

Timeline – document review and comment periods:

- Monty – concerns about timing (holidays, Thanksgiving through New Year’s Eve)
- Bruce – ditto – tough to cram everything in December, concerned about lower turnout; suggest stretching it out longer. Challenges with Nov., Dec., along with session. Interested in a small workgroup.

Policy Document:

Section 2

- Bruce - provide a definition of commute (vs. work town). Include in this document (instead of pointing to another doc).
- Scott Middleton (MCAWW) – ES.C.2 covers “hours worked”
- Monty (labor) – will be having own workgroups (generally speaking) to discuss the document.
- Bruce – a lot of nuances and different terms (such as “normal tool,” “specialized vehicle”) – need to address any confusion on when things may/may not apply
- Monty – Maintenance world has best practices, already vetted terms to use. Suggests that tone/language in document also speak to workers, in addition to employers. (if a worker were reading this vs. an employer).

Example 2.3-2

- Bruce - terms used “empty” and other terms – lack of specificity. Consider different terms which may be more common to job-sites or actual practice.

[Ellen clarified – policy is about if the travel time should be at PW or not. (not if the travel time is payable or not).]

Section 2.8

- Bruce – questions re: staging yard or supply source. Terms not necessarily used in construction vernacular.

Sections 2.10, 2.11

- Bruce – blurry lines – materials “material to and from”
- O-18(?) covers but want to avoid confusion (to/from, materials, etc)

Sections 3 and 4

- Bruce – common terms, related to O18 – how much deviates from common practice, clarify current practice?
- Challenge by WTA(?) – how much of this process has addressed what WTA was asking about
- How much clarifies what is already been done?
- Bruce question re: 4: function of additional work, not work performed or not performed

Section 5 – Bruce – wording helps provide intent and clarity, existing practice.

Section 6 – no comments

Section 7 – no comments

Section 8 – Bruce – link to resource for applicable scope of work and job classifications – requesting to add links to document. All in one location, helpful for new readers or those unaware of other policies.

Conclusion – Jody asked for first impressions:

- Monty – Like “Frankenstein.” A lot to unpack. Likes that the variety of issues are distilled into one space. He, along with counterparts, are in this space all the time (boots on the ground). Jody asked him to offer any language to further clarify/assist with sections.
- Bruce – along with what Monty said, like putting it all in one place. Supports including a definitions section and/or including an addendum for reference and related content. Help those who only look at this document (may not be aware of the other related documents).
- Bruce – Looking for clear, concise, consistency, not expanding scope or making changes. Flag any new interpretations? Flag any new changes. If no changes in interpretation – make that clear in this document.
- Scott Middleton – Add some additional language to make extra clear what Ellen said (purpose of this specific policy). Agrees with adding an appendix to offer term clarification. Also, make clear if any policy is being changed in this document. (what is new? what is changing of practice? – if any. If nothing is being changed – note that.).

**Good and Welfare:**

*Jody Robbins – (L&I)*

*Bruce Chattin (WA Aggregates & Concrete Assn.)*

Upcoming Legislation?

*Jody Robbins – (L&I)*

Upcoming court case on RCW – does our statute conflict with itself regarding doing surveys with data from a given county versus using a CBA. We are prepared to provide technical guidance on harmonizing language in discussions with Labor, Management, and the Legislative arena.

**Next Meeting – Virtual or In Person:**

*Jody Robbins (L&I)*

Given the holiday season and usual early jump into Leg we are looking at virtual in January, 2024. Also to give members time to review the draft Travel Time policy and give feedback.

**Wrap-up and next steps:**

Bonnie Dressel (L&I)

Update on Travel Time policy

**Adjourn:**

*Jody Robbins (L&I)*

Meeting adjourned at 2:41pm.