

Authorization for a Specific Public Works Project — 4/10 Work Agreement

What does this form do?

When properly completed, including dates and signatures, this template creates a 4/10 work agreement for work on a specific public works projects consistent with the law. See [WAC 296-127-022](#) for more information.

What does this agreement change?

This agreement changes the daily overtime requirements on public works projects. Without this agreement, all hours worked over 8 hours per day on a public works project or 40 hours per week require overtime pay.

This agreement changes the daily overtime pay requirements on a public works project from work performed over 8 hours per day to work performed over 10 hours per day in a 4-day work week. A 4/10 work agreement is a voluntary agreement entered into by the employee and the employer. All overtime and prevailing wage laws still apply to this agreement.

Additional Information:

1. This 4/10 work agreement applies to this project only. A new agreement must be voluntarily agreed to and signed by both parties if the employee works on a different public works project.
2. Compliance with state prevailing wage law requires that this agreement be included with your payroll records.
 - a. Payroll records must be kept for three years from the date of acceptance of the public works project by the awarding agency.
 - b. If L&I or an interested party requests a certified copy of your payroll records, then you must provide the required records including this agreement ([WAC 296-127-320](#)).
 - c. Failure to comply with a certified payroll request constitutes a violation of state prevailing law (see [RCW 39.12.050](#)).

This agreement is provided as a courtesy by the Washington State Department of Labor & Industries.

For more information about the Prevailing Wage Program, please visit: www.Lni.wa.gov/PrevailingWage.

Work Agreement

Authorization for a Specific Public Works Projects

All hours worked over 8 hours per day or 40 hours per week require overtime pay on public work projects. This agreement changes daily overtime pay requirement from 8 hours per day to 10 hours per day. All overtime and prevailing wages laws still apply to this agreement.

1. Both parties (employer and employee) voluntarily enter into this agreement.
2. The employee agrees to work up to ten hours per day in a four-day work week without the payment of overtime rates on this _____ public works projects. Both parties understand that the employee will be paid overtime rates for any work performed on this public work projects in excess of ten hours per day or forty hours per week and as required by any applicable prevailing overtime code (see the wage publications).
3. Both parties understand that there may be days when a full ten hours of work is not available and that the remainder of the forty hours may be made up on another work day or days within the same work week. Work performed at certain hours of the day and work performed on Saturdays, Sundays, and holidays are subject to the established prevailing wage rules for a given trade or occupation as provided by state law ([RCW 39.12](#)).
4. Both parties understand that this agreement applies to this project only. A new agreement must be voluntarily agreed to and signed by both parties if the employee works on a different public works project. This agreement is made pursuant to [RCW 49.28.065](#) and [WAC 296-127-022](#).

Signed and agreed to by:

Employer

Employee

Signature

Signature

Name and Title (Print)

Name (Print)

Employer's Business Name

Date

Date