

Meeting Minutes
 Prevailing Wage Advisory Committee (PWAC)
 March 16, 2023
 1:00 – 2:00pm (Zoom)

Attendees (taken from meeting participant list): Kyla Richards; Yvonne Nemes; Bonnie Dressel; Joanna Walsh; Jamie Blacksmith; Jody Robbins; Reasa Pearson; Alison Carchedi; Alison Taylor; Ashley Warren; BAyers; Brad McCutcheon; Brandy DeLange; Brian D. Walter; Bruce Chattin; Celeste Monahan; Chris Ellis; Cory Elliott; David Ciprut; David Jacobsen; Denise Jago; Ellen Saline; Eric Ffitch; ErikaY; Fernando Arevalo; Heidi Jensen; Jeff Vest; Jenean Keate; Jerry Vanderwood; Jesse Scott-Kandoll; Jim Kaltenbaugh; Joe Baca; Joseph Gaylor; Joey; John; Jolene Skinner; Josh Swanson; Julie Muller; Justin France; Lisa Bogardus; Liz Smith; Lee Willeman; Lucas; Lydia E Marcy; Marge Newgent; Mario Silva; Matthew; Michael de Give Monty; Mr. Rollins; Nicole Blackwood; Randall Friesen; Randy Littlefield; Scott Middleton; Sean Anderson; Shari Reiter-Johnson; Shyann Emmons; Sonny; Sophia Steele; Stacia Wasmundt; Tiffany Rich; Todd Templeron; Travis Metzger; Van Hurst; Zach McCown

Agenda Item	Discussion
Opening Remarks/Introductions and Safety Tip	<p><i>Jody Robbins (L&I)</i> Welcomes everyone. Goes over agenda. Gives brief update on the re-organization of the Prevailing Wage investigative teams. Each team is comprised of an IRA4 supervisor, IRA3 lead investigator, and IRA2s. We are still hiring and filling spots at this time as well.</p> <p><i>Jamie Blacksmith (L&I)</i> Conscious Choking.</p>
PWAC Draft Meeting Minutes from 12/08/22	<p><i>Jody Robbins (L&I)</i> Asks for approval of the December 2022 minutes. Does anyone have an additions, deletions, or corrections? Motions to approve. Anyone opposed to approval? Since no one is opposed, the minutes are approved.</p>
General Topics/Program updates	<p><u>Trucking and Travel Time:</u></p> <p><i>Reasa Pearson (L&I)</i> Presents program updates for the travel time and trucking policy. Item one will go over when travel time needs to be paid and build upon that. Item two will go over when travel and drive time needs to be paid at prevailing wage rates, the policy will address scenarios related to driving to and from jobs, mobilizations, hauling, incorporating materials or stockpiles, disposal of materials, delivery of</p>

equipment, etc. Item four will go over when loading/unloading requires prevailing wages. Item five will go over delivery to true stockpiles. Item six will go over determining travel/drive time. Item seven goes over record keeping requirements. Any questions?

Bruce Chattin (Washington Aggregates & Concrete Association)

The document Jody sent over appears to be pretty complete in its overview on a number of these. Will the existing WACs and RCWs be used to reaffirm the guidance already there?

Reasa Pearson (L&I)

Yes, the policy will have hyperlinks to relevant statutes and WACs.

Josh Swanson (IUOE Local 302)

Question, I know the director issued a decision on the Glacier Northwest case. Is the decision made informing the travel time policy?

Jody Robbins (L&I)

I believe this does inform the policy. Item 4 of the travel time policy would cover this. This travel time guidance will be an administrative policy.

Jesse Scott-Kandoll (Pacific NW Regional Council of Carpenters)

Will the policy cover being bussed to the project? Also, will the policy cover instances where an employee used a personal vehicle to pick up required materials or tools for a public works project and then drive to the public works project using their own vehicle? We've been seeing both of these instances more often with public works.

Reasa Pearson (L&I)

Yes, those instances will be part of the policy. The mobilization and demobilization as well as starting and stopping times will be covered in the policy.

Sonny Sandretto (Local 82 H&F Insulators)

Is there any way we can get copies of the policy?

Reasa Pearson (L&I)

Yes, we will provide this to everyone to assist with questions regarding travel time.

Bruce Chattin (Washington Aggregates & Concrete Association)

Is there a way to get the policy out to other parties outside of the PWAC list?

Reasa Pearson (L&I)

Yes, we will be sending this out through the list serve to other parties to make sure everyone is invited to the table to look at the policy. We will also reach out further if we see that more questions or concerns come up.

Training Opportunity/Job Shadow:

Jody Robbins (L&I)

We are looking to enhance our training opportunities for the agents. We are looking to the members of this group to see if anyone can offer opportunities with your organizations for our investigators to job shadow. We'd love to put them out with a general foreman on a jobsite, as one example. We are looking for opportunities to get these agents more exposed to public works projects onsite, as well as the administrative side of things.

Jerry Vanderwood (Associated General Contractors of Washington)

Do you have something in writing so I can put this out in our newsletter, so that superintendents or administrators can reach out to someone on your end to set something like this up?

Jody Robbins (L&I)

Yes, I have made a note of this and will provide you all with some communication in writing to be able to send out with this question.

Jesse Scott-Kandoll (Pacific NW Regional Council of Carpenters)

We are already assisting agents with opportunities like this in Oregon, you can contact us, we would be interested in assisting.

Jody Robbins (L&I)

Thank you Jesse, we will be in touch. I will follow up with a written communication for the PWAC members and audience participants.

Residential Survey Plans Update:

Sean Anderson (L&I)

We have a residential survey underway for plumbers & pipefitters, refrigeration mechanics, and sprinkler fitters (fire protection) right now. We have a link on the slide for everyone to complete the survey if possible. We are asking for survey results for the affordable housing category, as well as all other residential work. The due date is April 28th, 2023. We sent out a message to our distribution list but haven't received a lot of survey responses currently. I called a couple of our union representatives and found out the email looked a lot like our wage update emails and could have accidentally been missed, so I just wanted to point out that this email was sent as we are hoping for more results to come in.

I also want to go over upcoming surveys. We have a goal to finish a round of wage and hour surveys for all Residential Construction trades by November 2025. This is currently a draft, but have a plan put together for what we think would work best moving forward. We are doing round one right now.

For round two we are looking at carpenters, painters, and related trades. We are trying to group the surveys by types of work that are done by the same unions.

Round three should cover brick Mason and allied trades as well as electricians.

For the round four survey we are looking at laborers, sheet metal workers, and cement masons. This plan is not set in stone yet. Please reach out if you have any questions or concerns regarding this upcoming survey plan. Does anybody have any questions or comments?

Jody Robbins (L&I)

Thanks Sean. Could you speak to what we see coming in so far?

Sean Anderson (L&I)

Yes. For the first round of surveys we are not seeing a lot of information yet. We are seeing some info for plumbers & pipefitters. The information we've received for the affordable housing category are low numbers right now. We've been seeing more reports regarding the all other residential category.

We have about a month and a half to go for the surveys. We will be sending out another gov delivery message as a reminder. If you have contractors who you believe have answers please encourage them to fill the surveys out.

Scott Middleton (Mechanical Contractors Association of Western Washington)
How do you use the data together to arrive at the prevailing wage point?

Sean Anderson (L&I)

We are anticipating right now to have to go with the majority of the information we receive for the counties. As an example, if we only get answers for the other residential category for a classification, but no information for the affordable housing category, we will use the data we received for the other residential category to arrive at the prevailing wage point. If we get data from both the affordable housing category and all other residential category in some instances, then we will have to look over all of that data to inform a decision.

Jody Robbins (L&I)

Yes, the plan will be to go with whichever category gives us the higher percentage of responses. But we will have to look at this case by case for each county.

David Ciprut (Washington State Association of the UA)

Jody and Sean, thank you for the report and follow up outreach. In the event that there is no survey data submitted for a county or trade, will that mean whatever prevailing wage rate that's already in affect will remain so?

Sean Anderson (L&I) That will be a question for Jody in those instances.

Jody Robbins (L&I)

We plan to apply some cost of living calculations in for various areas where we do not receive survey data. But, as stated we will have to look at the instances case by case.

Jody Robbins (L&I)

We need some help getting the residential numbers in for the surveys, so please spread the word.

Meeting Dates for Summer/Fall:

Jody Robbins (L&I)-

We plan for the next PWAC meetings to be in-person. For June we plan to go to the headquarters building in Tumwater. We are looking at Tuesday June 13, 2023 or Wednesday June 14, 2023. Does anyone have an opinion for which day? I am inclined for Wednesday since Wednesdays would work for both the summer and fall meetings. Any thoughts, suggestions, or preferences?

Monty Anderson (Seattle/King County Building & Construction Trades)

Thank you Jody. If I can get the dates sent over, we will do an internal poll to see what will work for the majority and get back to you.

Jody Robbins (L&I)

Will do. Summer meeting is planned for headquarters building, and fall is planned for Tukwila. I'll have Yvonne put out some communication for dates and AM or PM slots to gather everyone's input.

Wrap up and Next Steps:

Bonnie Dressel (L&I)

Jody you are going to be writing up a follow up communication for the training/job shadowing opportunities. You will send this to Jerry and Jesse. We will also be writing up a communication for the possible dates and times for our next PWAC meetings to go out to the PWAC.

Jody Robbins (L&I)

Thank you Bonnie. I will be sending the training communication over the list serve to get as much help as we can. Any other questions?

Scott Middleton (Mechanical Contractors Association of Western Washington)

In regards to safety and health, there could be some complications with the shadowing opportunities. How do we address potential hesitations?

Jody Robbins (L&I)

The intention is not to flag jobs. The prevailing wage agents are not inspectors. I will get with our internal safety and health folks and get that expressed in the communication as well.

Jody Robbins (L&I)

I saw a question in chat about virtual links available as well for the next meetings. We can commit to making sure there is at least an audio line open for listening in.

Celeste Monahan (L&I)

Thanks Jody, for Tukwila a virtual option may be feasible based on the equipment there.

Jody Robbins (L&I)

Thank you Celeste. We will at least have an audio option available for the meetings. We are encouraging an in-person meeting. We understand that the virtual options help to keep lines of communication open as best we can for people who are located further away. Any last questions or concerns?

Tiffany Rich (NWLECET)

I have some 4/10 agreement questions. Would we be able to go over that here?

Jody Robbins (L&I)

Thanks Tiffany. I think that discussion would be better answered with our IRA4 supervisors for the investigative staff, please send me an email with your inquiries and I will get that over to the IRA4s for them to review and reach out.

Bruce Chattin (Washington Aggregates & Concrete Association)

Where are we for updates on CPR focused enforcement?

Jody Robbins (L&I)

The outreach has been successful. We have hit about four rounds of letters going out to about twelve contractors each round. We've been getting contractors to look at specific projects and get their CP reports in the online portal, as well as getting the companies to take a look at previous projects in their Dashboards and get CPRs in. This focused enforcement has moved over to Chuck instead of Harvey at this time.

Bruce Chattin (Washington Aggregates & Concrete Association)

Has your team noticed any trends for why CPRs were not filed?

Jody Robbins (L&I)

Currently, the highest trend we've noticed is Contractors stating that they were not aware of the requirements.

Alison Carchedi (Rebound)

Will the June meeting be the first in-person PWAC?

Jody Robbins (L&I)

Yes, that is the plan. Starting in June we hope to go back to in-person meetings.

Jody Robbins (L&I)

Thanks everyone. Please be aware that ESSB 5726 is the newest piece of legislation we are going over. One part is in reference to instances where we have multiple CBAs that apply when determining prevailing wage rates. The second part is in reference to tying prevailing wages to the wage in effect when the work itself is performed. This would keep prevailing wages current. As you know, currently wages are locked in throughout the course of a project. If you are interested, give your local legislature a call to find out more. Any other questions ? Alright, moving to adjourn the meeting.

Adjourn:

Jody Robbins (L&I)

Motion to adjourn?

Jerry Vanderwood (Associated General Contractors of Washington)

Motion.

Bruce Chattin (Washington Aggregates & Concrete Association)

Seconded.

Jody Robbins (L&I)

The meeting is adjourned. Thank you all for being here.