

Meeting Minutes
 Prevailing Wage Advisory Committee (PWAC)
 August 11, 2022
 1:30 – 4:00pm
 Zoom

Attendees (taken from meeting participant list): Kyla Richards; Yvonne Nemes; Bonnie Dressel; Megan Kistler; Josh Swanson; Peter Guzman; Elizabeth Smith; Bruce Chattin; Amy Ledesma; Andrew Ledbetter; Andy Wojciechowski; Ann Garcia; Ashley Warren; Brett; Brian Eaton; Brianna Morin – AWC; Bryan Johnson; Cat Bartrug; Celeste Monahan; Chad Campbell – IUOE Local 612; Chapca; Christine Brewer; Craig Dyce; David Ciprut – UA; Ellen Saline; ERLM235; Ivan Meyen – SMART Local 66; Jamie Blacksmith; Jeff Thorson; Jennie Kordenat; Jim Kaltenbaugh; Jolene Skinner; Josh Swanson; Lee Willeman; Leslie Yates; LIME235; Lisa; Mark Riker – WSBCTC; Michael de Give; Monty – Seattle Building & Trades; Nayeli Atempa; Nicole Blackwood – Rebound; Peter Guzman; Ramona Christensen-Russell; Reasa Pearson; Scott; Sean Anderson; Shelli Edwards; Sherry V; Shyann Emmons; Sophia Steele – ABC; Tiffany – NWLECET; Van Hurst.

Agenda Item	Discussion
Opening Remarks Introductions Safety Tip	<p>Opening Remarks/Introductions: Peter Guzman – L&I Welcome. Peter introduces himself. Goes over agenda.</p> <p>Jody’s Appointment: Liz Smith – L&I Thanks everyone for joining. Topic of interest has been the ongoing leadership plan for PW program regarding Jim’s retirement. Many were involved in the selection process. Jody has been chosen to be the industrial statistician moving forward. Peter will be moving over and switching positions with Jody for the time being as apprenticeship program manager. We appreciate the patience during the transition.</p> <p>Celeste Monahan – L&I Congratulates Jody on his appointment. Looking forward to his leadership in the PW program. Thanks Peter for his role in PW and stepping in for Jody in Apprenticeship.</p> <p>Safety Tip: Jamie Blacksmith – L&I First Aid Awareness.</p>

<p>PWAC Draft Meeting Minutes from May 3, 2022</p>	<p>Peter Guzman – L&I Review and motions to approve minutes.</p> <p>Scott Middleton - MCAWW Moves to approve.</p> <p>Josh Swanson – IUOE 302 Seconds.</p> <p>Peter Guzman – L&I Minutes approved.</p>
<p>General Topics/Program updates</p> <ul style="list-style-type: none"> • Wage Recovery • Strike & Debarments • Enforcement Updates • Staffing • IT Updates • Certified Payroll Enforcement • Rule Making • Questions • Wrap Up and Next Steps • Adjourn 	<p>Enforcement Updates/Cases Resolved/Wage Recovery: Jamie Blacksmith – L&I Shares report of enforcement updates, cases resolved, and wages collected. Agents are working on resolving cases as quickly as possible. Wages collected for first quarter \$21,220, wages collected for second quarter \$9,704.</p> <p>Strikes and Debarments: Reasa Pearson – L&I Goes over totals for last year and totals for first and second quarter. Reports second quarter is a little bit down. Request legislation considering in 2023 which should help with strikes being down in numbers. Bill Z0010 updating references to the plumbing contractors in workers comp, PW. In 2020 legislature made changes to existing plumbing chapter. When the move was made rights and responsibilities that had applied to plumbing contractors were inadvertently left out. Restoring prior. 2023 proposal includes references to electrical contractors so that unlicensed may not bid for public works projects. Any questions?</p> <p>Josh Swanson – IUOE 302 Notice that strikes on contractor registration is higher. Can you explain the differences in process?</p>

Reasa Pearson – L&I

Strikes for industrial, contractors registration have their own process they go through. All their own processes must be completed before it goes through the system. Process is similar to PW.

Josh Swanson – IUOE 302

Appears that PW is more complicated due to nature of wage complaint process.

Reasa Pearson – L&I

Can't speak to the other programs. But for PW we only get to strikes if we move to NOV. They can be more complicated in that process especially if the appeal takes longer.

Sophia Steele – ABC WEST WA

Asks if the bill is pre-filed or going to the governor's office, etc. In reference to the Bill Z0010 updating references to the plumbing contractors in workers comp, PW. In 2020 legislature made changes to existing plumbing chapter. When the move was made rights and responsibilities that had applied to plumbing contractors were inadvertently left out. Restoring prior. 2023 proposal includes references to electrical contractors so that unlicensed may not bid for public works projects.

Reasa Pearson – L&I

Will get back to you with more information.

Time to Resolve - Case Updates:

Reasa Pearson – L&I

Goes over chart for August for time to resolve cases. Red over 365 day cases 32%, green 0-180 days 30%, yellow in between 38%. Seeing improvements in these. Goes over chart for month to month cases. The number of cases has dropped. The red numbers are going down slower than we like, but they are more complicated cases, which is why it will take a little longer for those cases to resolve. Working on moving forward on resolving red cases.

Staffing:

Jamie Blacksmith – L&I

Current vacancies open are 1 IRA2 investigator, 1 IRA2 CSS supervisor, 1 CSS2, and 2 IRA 4s. Funding provided as of July can add 6 more positions. 4 IRA 2s, 1 IRA3, and 1 IRA4. Will break hiring into chunks to provide onboard training.

Intents & Affidavits:

Reasa Pearson – L&I

Goes over I&A numbers being filed. Goes over last year, first quarter, and second quarter. Numbers are up. Probably will see an increase up until wintertime.

IT Updates:

Jolene Skinner – L&I

Work on IT projects has begun. In prep phase. Prototypes and designs for enhancements. Once these are done, will be conducting usability studies and reaching out to stakeholders, contractors, etc. After will gather requirements up until when funding is approved. Will be doing a survey for system users, expanding upon original survey from 2019. Funding did include 2 IT FTEs still working on recruitment. Hoping to get IT package request in the session. Goes over possible elements that would be redesigned.

Scott Middleton - MCAWW

Appears it would be helpful to do one click and generate the whole CPR report. Right now, must generate CPRs weekly. Thanking Jolene for focus on this update.

Certified Payroll Enforcement:

Peter Guzman – L&I

Goes over violator numbers for CPR requirement. Report showed as of April, have 46,000 contractors who have not complied with this statute. Plan: pick two projects from the top 30 contractors, and will send letters with education towards end of August. Will allow 30 days to respond to violation. Want to ensure contractors are following CPR requirements. Will continue to receive complaints from stakeholders, LNI will also have target enforcement for violators.

Scott Middleton - MCAWW

Is there a way to make CPRs easier for long-term projects that have call-outs for a few hours in a week?

Peter Guzman - L&I

Contractor's responsibility to follow the CPR requirements. This is something we can look into to improve the process.

Bruce Chattin - Washington Concrete

Wondering how many contractors are aware of the CPR requirements on that list. Can we potentially add a survey to the letters to ask contractors for feedback on why this happens?

Peter Guzman - L&I

Goal is to provide education from all sides. Like the idea of having a survey to develop some data on why contractors have not complied with the CPR requirements.

Bruce Chattin - Washington Concrete

Happy to help with education and communication.

Peter Guzman - L&I

Currently drafting the language of the letter. The contractors range from small to larger contractors. Will also provide 4/10 and login education with the letters.

Mark Riker - WA Building Trades

Do we know how many of the 46,000 have gone through the training?

Peter Guzman - L&I

We will look into this data.

Sophia Steele - ABC West WA

Can we look into a recorded webinar/training that we can send out to contractors?

Peter Guzman – L&I

Yes, good idea.

Jolene Skinner – L&I

Provides info on the CPR filing YouTube videos. Provided link in chat, and these links are in the contractor Dashboard as well.

David Ciprut – WA Pipe Trades

Knows of some contractors who would benefit from trainings for the technology side of filing.

Rulemaking & Policy:

Reasa Pearson – L&I

In regard to Bruce’s question (**Bruce Chattin – WA Concrete:** asks for updates or status to previous dump truck questions), department did receive rule petition. Decide to provide more guidance in an administrative policy. Making progress on draft policy and will release to stakeholders when ready.

Bruce Chattin – WA Concrete

Does this effect any other WACs already in places for return trips?

Reasa Pearson – L&I

Won’t override something in the WAC. Policy will be a comprehensive overview to help clarify PW information on return trips. Should clarify a few things for trucking in general.

Bruce Chattin – WA Concrete

Sounds broader. Are you able to say where the petition came from?

Ellen Saline – L&I

We did receive rulemaking petition from an organization that asked questions related to truck and dump truck driver travel time.

Will provide more info through policy to help clarify. Comprehensive guidance instead of updating one WAC. Will release draft policy to stakeholders before adopting final policy.

Bruce Chattin – WA Concrete

What was the response to petition?

Ellen Saline – L&I

Will look into ability to share the denial of the petition.

Reasa Pearson – L&I

Next item is ordinary maintenance. Change in language in regards to housing authorities. With regards to maintenance performed by places that main or manage housing authority properties. Mirrored language from HB 1975. Will be filing at end of August. Sent out info on list serve.

Mark Riker – WA Building Trades

Questions regarding the language. Will send an email to Reasa with further details.

Reasa Pearson – L&I

Lastly, repealed rules related to subprevailing wages. This was an expedited filing. Should be effective soon. Ellen do you know when?

Ellen Saline – L&I

Looks like August 18th.

Questions/Wrap up and Next Steps:

Peter Guzman – L&I

Provided overview of meeting and next steps. Will be sending out possible dates for next meeting. There are some vacancy slots for PWAC members. Anything else Yvonne, Bonnie, or Reasa?

Yvonne Nemes – L&I

No questions in chat. The next meeting will probably be early December.

Bruce Chattin – WA Concrete

Have contractors provided any insight on why CPRs are not being filed?

Reasa Pearson – L&I

Not yet. Hoping when the letters are sent out we will gain more insight for this. Sophia, we will get back to you on your question.

Josh Swanson – IUOE 302

Looking at ordinary maintenance vs. new rulemaking language. Agree with Mark, have some questions regarding the language.

Jolene Skinner - L&I

Pulled data on the training in correlation with the un-filed CPRs. Preliminary numbers 36,000, the majority of them were exempt from training. I will look at it and get updated spreadsheet out to PWAC members.

Sophia Steele - ABC West WA

Can you explain exempt?

Jolene Skinner - L&I

The training was exempt for some contractors. They met the exemptions, and did not have to take the training at that time.

Mark Riker - WA Building Trades

Appears about 9,000 contractors that did receive the training, did not file CPRs. Can the training highlight the CPR requirement more?

Jolene Skinner - L&I

CPR requirement is in the training, we will take a look at how well its emphasized.

	<p>Mark Riker - WA Building Trades Subcommittees do interface with PWAC. How to make it easier for contractors that have bonding.</p> <p>Peter Guzman - L&I I will include this when I meet with Jody.</p> <p>Jolene Skinner - L&I I will brief Joel, Liz, Celeste, Jody, about subcommittee topics.</p> <p>Peter Guzman - L&I See about how to get someone replaced for the port.</p> <p>Celeste Monahan - L&I We have a contact for and will be reaching out to.</p> <p>Adjourn: Peter Guzman - L&I Thank you everyone. If there are not anymore questions, we can formally close the meeting. Moved and seconded, adjourned meeting.</p>
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