



Q&A #1
RV Abatement
Published 5/17/21

Prevailing wages are not required on work completed in Oregon under this contract?

Per L&I:

Thank you for your question regarding whether RV abatement (removal of RVs) would require prevailing wages.

The short answer is yes. (if done by a contracted company and not by you own agency employees).

Public works is defined as "all work, construction, alteration, repair, or improvement... executed at the cost of the state or of any municipality..." ([RCW 39.04.010\(4\)](#)).

All work performed under a public works contract must be classified into one or more of the many labor classifications for which prevailing wage rates have been established. These scopes of work are published in [WAC 296-127-01301 through WAC 296-127-01398](#). When determining which scopes of work apply, we are informed that "the applicable prevailing wage rates for workers employed on public works projects shall be determined by the scopes of work performed by those workers, and not by their specific job titles." ([WAC 296-127-013\(4\)](#)).

We do not have jurisdiction to enforce prevailing wage laws outside the borders of the state. The truckers transporting them will need to be paid from the time they pick up the RVs until they cross over into Oregon. (and of course, any other work conducted within the borders of our state that might take place would require prevailing wages).

The tow truck drivers are typically paid a percentage of the tow fee not an hourly wage. Do we just need to make sure that the amount they are paid is at least equal to the prevailing wage hourly rate that they would make for their time spent working in Washington?

You will need to pay them an hourly wage that corresponds to the prevailing wage classification (see above). Intents and Affidavits and Certified Payrolls are required to be submitted to L&I.

I don't see anywhere on the bid that states if the vehicles are to be removed from the right of way (ROW) or if they will be removed from a centralized tow lot. If the vehicles will need to be removed from the ROW, they will need to be stored and need to have lien paperwork processed. Please advise if we are towing vehicles from the ROW and need to process the lien paperwork and store it or if the vehicles will already have all paperwork processed and just need to be transported and destroyed.

They will be removed from the ROW, need to be stored, and have lien paperwork processed.