

public interest, such contracts shall be distributed equally among contractors, including minority contractors, on the small works roster.

Passed the Senate March 7, 1988.

Passed the House March 2, 1988.

Approved by the Governor March 23, 1988.

Filed in Office of Secretary of State March 23, 1988.

CHAPTER 236

[Substitute House Bill No. 1319]

FAMILY LEAVE

AN ACT Relating to notice to employees of employer leave policies, use of employer-granted leave to care for minor children with health conditions, and leave from employment for maternity disability; amending RCW 49.12.005; adding new sections to chapter 49.12 RCW; creating a new section; prescribing penalties; and providing an effective date.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature recognizes the changing nature of the work force brought about by increasing numbers of working mothers, single parent households, and dual career families. The legislature finds that the needs of families must be balanced with the demands of the workplace to promote family stability and economic security. The legislature further finds that it is in the public interest for employers to accommodate employees by providing reasonable leaves from work for family reasons. In order to promote family stability, economic security, and the public interest, the legislature hereby establishes a minimum standard for family care. Nothing contained in this act shall prohibit any employer from establishing family care standards more generous than the minimum standards set forth in this act.

NEW SECTION. Sec. 2. The department shall develop and furnish to each employer a poster which describes an employer's obligations and an employee's rights under this 1988 act. The poster must include notice about any state law, rule, or regulation governing maternity disability leave and indicate that federal or local ordinances, laws, rules, or regulations may also apply. The poster must also include a telephone number and an address of the department to enable employees to obtain more information regarding this 1988 act. Each employer must display this poster in a conspicuous place. Every employer shall also post its leave policies, if any, in a conspicuous place. Nothing in this section shall be construed to create a right to continued employment.

NEW SECTION. Sec. 3. An employer shall allow an employee to use the employee's accrued sick leave to care for a child of the employee under the age of eighteen with a health condition that requires treatment or supervision. Use of leave other than accrued sick leave to care for a child under the circumstances described in this section shall be governed by the

terms of the appropriate collective bargaining agreement or employer policy, as applicable.

NEW SECTION. Sec. 4. The department shall administer and investigate violations of sections 2 and 3 of this act.

NEW SECTION. Sec. 5. The department may issue a notice of infraction if the department reasonably believes that an employer has failed to comply with section 2 or 3 of this act. The form of the notice of infraction shall be adopted by rule pursuant to chapter 34.04 RCW. An employer who is found to have committed an infraction under section 2 or 3 of this act may be assessed a monetary penalty not to exceed two hundred dollars for each violation. An employer who repeatedly violates section 2 or 3 of this act may be assessed a monetary penalty not to exceed one thousand dollars for each violation. For purposes of this section, the failure to comply with section 2 of this act as to an employee or the failure to comply with section 3 of this act as to a period of leave sought by an employee shall each constitute separate violations. An employer has twenty days to appeal the notice of infraction. Any appeal of a violation determined to be an infraction shall be heard and determined by an administrative law judge. Monetary penalties collected under this section shall be deposited into the general fund.

NEW SECTION. Sec. 6. Nothing in this act shall be construed to reduce any provision in a collective bargaining agreement.

NEW SECTION. Sec. 7. The department shall notify all employers of the provisions of sections 1 through 6 of this act.

Sec. 8. Section 1, chapter 16, Laws of 1973 2nd ex. sess. and RCW 49.12.005 are each amended to read as follows:

For the purposes of this chapter:

(1) The term "department" means the department of labor and industries.

(2) The term "director" means the director of the department of labor and industries, or his designated representative.

(3) The term "employer" means any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees and for the purposes of sections 1 through 7 of this 1988 act also includes the state, any state institution, any state agency, political subdivisions of the state, and any municipal corporation or quasi-municipal corporation.

(4) The term "employee" means an employee who is employed in the business of his employer whether by way of manual labor or otherwise.

(5) The term "conditions of labor" shall mean and include the conditions of rest and meal periods for employees including provisions for personal privacy, practices, methods and means by or through which labor or

services are performed by employees and includes bona fide physical qualifications in employment, but shall not include conditions of labor otherwise governed by statutes and rules and regulations relating to industrial safety and health administered by the department.

(6) For the purpose of this 1973 amendatory act a minor is defined to be a person of either sex under the age of eighteen years.

(7) The term "committee" shall mean the industrial welfare committee.

NEW SECTION. Sec. 9. Sections 1 through 7 of this act are each added to chapter 49.12 RCW.

NEW SECTION. Sec. 10. Prior to the effective date of this act, the department of labor and industries may take such steps as are necessary to ensure that sections 1 through 8 of this act are implemented on their effective date.

NEW SECTION. Sec. 11. If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected.

NEW SECTION. Sec. 12. This act shall take effect on September 1, 1988.

Passed the House March 9, 1988.

Passed the Senate March 6, 1988.

Approved by the Governor March 24, 1988.

Filed in Office of Secretary of State March 24, 1988.

CHAPTER 237

[Engrossed House Bill No. 1387]

HOMELESS PERSONS—GUARANTEED SECURITY DEPOSITS

AN ACT Relating to guaranteed security deposits for qualified homeless persons; and adding a new chapter to Title 59 RCW.

Be it enacted by the Legislature of the State of Washington:

NEW SECTION. Sec. 1. The legislature finds that one of the most difficult problems that temporarily homeless persons or families face in seeking permanent housing is the necessity of paying a security deposit in addition to paying the first month's rent. The security deposit requirement is often impossible for the temporarily homeless person or family to meet because their savings are depleted due, for example, to purchasing temporary shelter in a motel when space at an emergency shelter was not available. A program to guarantee the security deposit for the temporarily homeless person or family will help the poor in this state achieve adequate permanent shelter.