



2018 FINAL REPORT

HOUSE LABOR & WORKPLACE STANDARDS
COMMITTEE

2018 Regular Session

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Office of Program of Research
House of Representatives
State of Washington

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2018 FINAL REPORT
House Labor and Workplace Standards Committee

Summary of Major Legislation

BUILDING AND CONSTRUCTION

Three building and construction bills the Committee considered in recent years became law in 2018. Under **E2SHB 1673**, beginning July 1, 2019, a contractor must have taken training relating to public works and prevailing wage to qualify as a responsible bidder. The training may be from the Department of Labor and Industries (Department) or from a provider approved by the Department. Bidders who have specified experience in public works are exempt. **SSB 6126** will require completion of an apprenticeship program to take the examination to become a journey level electrician beginning in 2023. Also, cities that do electrical inspections may enforce state electrical licensing and certification requirements under **ESHB 1952**.

The Committee heard but did not take action on **HB 2440**, relating to plumbing. Among other changes, the bill would have raised the trainee to plumber ratio from 1:1 to 2:1 for journey level plumbing.

COLLECTIVE BARGAINING

Several collective bargaining bills were enacted this session.

HB 2751 (SB 6296) makes changes to the union security provisions in the public sector collective bargaining statutes. Under the bill, if a collective bargaining agreement has a union security provision, written authorization from the employee is not required for the employer to enforce the provision, and the employer must deduct union dues or equivalent fees under the union security provision. Written authorization is required for the deduction of fees other than union dues or equivalent fees, but the written authorization no longer needs to be filed with the employer.

ESB 6229 (HB 2624) requires public sector employers to provide the union reasonable access to new employees of the bargaining unit for the purposes of presenting information about the union. The access must be at least 30 minutes.

EHB 1237 allows Boards of Trustees of community and technical colleges to provide additional compensation to academic employees that exceeds the amount established by the Legislature. The Governor vetoed the intent section of the bill.

A bill dealing with the procurement of language access providers was also enacted. **2SSB 6245** requires, among other things, the Department to purchase interpreter services directly from language access providers or through contracts with scheduling and coordinating delivery organizations, or both. The bill also authorizes those language access providers to form a separate statewide collective bargaining unit, and requires the Department to provide a list of language access providers to labor unions, upon request of the union.

ESSB 6199 (HB 2426), which has a collective bargaining component, went through the Health & Long Term Care Committee and was enacted. Under the bill, the Department of Social and Health Services is authorized to contract with a consumer directed employer to be the legal employer of individual providers (IPs) of in-home care services. This impacts collective bargaining for IPs, who before enactment of the bill, were considered quasi-public employees for the purposes of collective bargaining. In addition, the bill specifies that IPs are not deemed to be state employees or vested in the public employee's pension system.

EMPLOYMENT – DISCRIMINATION

Several bills dealing with discrimination in the workplace became law in 2018.

2SHB 1298 addresses pre-employment inquiries into applicants' criminal history. With certain exceptions, employers may not include any question on an application about an applicant's criminal background until after the employer initially determines the applicant is otherwise qualified for the position. The state Attorney General's Office is charged with enforcing the provisions.

2SHB 1506 addresses gender pay equity by defining "similarly employed" and modifying defenses in the Equal Pay Act, and by prohibiting discrimination in providing career advancement opportunities based on gender. The bill also protects employee discussions about wages. Both an administrative remedy and a private cause of action are available to address violations.

Certain law enforcement and fire department applicants may be lawful permanent residents as an alternative to U.S. citizens under **SB 6145**.

Another discrimination bill is **HB 2661**, which makes it unlawful to discriminate against an applicant or employee because the individual is an actual or perceived domestic violence victim. An employer must also make reasonable safety accommodations requested by a victim.

Three bills addressing the issue of inappropriate workplace behavior were enacted this year. **SSB 5996** prohibits employers from requiring employees to sign a nondisclosure agreement that prevents the employee from disclosing sexual harassment or sexual assault occurring in the workplace. The bill also makes it an unfair practice under the Washington Law Against Discrimination (WLAD) for an employer to discharge or retaliate against an employee for disclosing or discussing workplace sexual harassment or sexual assault. **SSB 6313** makes unenforceable a provision requiring an employee to waive the right to file a complaint under the WLAD or requiring discrimination claims to be resolved through a confidential dispute resolution process. And finally, **SB 6471** requires the Human Rights Commission to convene a stakeholder work group to develop model policies and best practices for employers and employees to keep workplaces safe from sexual harassment.

EMPLOYMENT – GENERAL

The Committee continued its work on noncompete agreements. **HB 2903** would have made noncompetes unenforceable for employees earning less than five times the average weekly wage

(about \$5,666) or who are terminated during a probationary period without just cause. The bill also would have required “garden leave” for an agreement to be enforceable and made an agreement presumptively unreasonable beyond a one-year duration. Garden leave is the continued payment of compensation during the restricted period. Other provisions included making enforcement of an agreement that violated the provisions or was overly broad a Consumer Protection Act violation. Floor amendments were placed on the bar but the bill died on House Second Reading.

Another topic the Committee has considered for several years is misclassification of employees as independent contractors. **SHB 1300** would have created the Employee Fair Classification Act and created new tests for independent contractor status for several employment laws. The bill was heard and died in the Appropriations Committee.

A bill dealing with peace officers, **SB 6188 (HB 2532)**, prohibits a law enforcement agency from taking disciplinary action against a peace officer solely because the officer's name is on a list maintained by the prosecutor's office of witnesses for whom there is known potential impeachment information. The bill was enacted.

A bill that would have created a system for portable benefits for workers who provide services to consumers under 1099 federal tax status was heard but did not pass out of Committee. Under **HB 2812**, certain businesses would be required to make contributions to benefit providers for the purposes of providing workers with benefits such as industrial insurance. The bill also contained provisions similar to SHB 1300.

A new topic for the committee was temporary workers. **HB 2849**, which did not pass out of Committee, would have established requirements relating to safety training, payment of wages, notice of rights, and other matters specifically for staffing agencies and work site employers.

SAFETY AND HEALTH

To maintain its status as a "state plan state" under the Occupational Safety and Health Act (OSHA), Washington's standards must be at least as effective as OSHA's standards. **HB 1953**, which was enacted, modifies penalties in response to changes in OSHA penalties.

Safety for railroad employees and the public continued to be a topic of discussion. **SHB 2944** would have prohibited discipline for a worker laid off due to illness or injury, required certain carriers to establish fatigue leave programs, and addressed other matters. In addition, **HB 1669**, which was heard in 2017 as well as this year, would have established minimum crew size requirements for freight and passenger trains and trains carrying certain specified hazardous materials. Both train bills died on House Second Reading.

UNEMPLOYMENT INSURANCE

HB 2987, which the Committee heard but did not move, addressed unemployment benefits for individuals with caregiving responsibilities. The bill would have added good cause quit provisions relating to inaccessibility of care, added an individual's customary work shifts and availability of caregiving as factors in determining suitable work, and removed the 17-hour maximum to qualify as a part-time worker.

See also "Employment – General."

WAGE AND HOUR

As in previous years, the Committee worked on several bills dealing with overtime. **SHB 2817** would have required a study of the use of overtime for county correctional officers. This bill died in the Senate Ways & Means Committee.

Regarding meal and rest breaks and mandatory overtime for certain hospital employees, **HB 1715**, which was heard last year, passed out of Committee again this year. The bill died on House Second Reading.

The Committee heard but did not take action on **HB 2830**, which would have provided for special training certificates to allow grocery stores and restaurants to pay new employees 75 percent of the minimum wage during a training period.

With the enactment of **SSB 5493 (HB 1674)**, prevailing wage rates will be based on collective bargaining agreements for those trades and occupations that have collective bargaining agreements. Another prevailing wage bill was **HB 2742**, which would have established a regional prevailing wage rate for maritime workers in the Puget Sound region. **HB 2742** was heard but died on House Second Reading.

SHB 1486, which was heard and passed out of Committee last year, was referred directly to Appropriations this year where it received a hearing, passed, and died in Rules. The bill would have created a statutory wage lien for claims on unpaid wages.

WORKERS' COMPENSATION

Occupational disease was the subject of several bills.

The Governor signed **SHB 1723**, creating a rebuttable presumption for Hanford site workers that certain diseases and conditions enumerated in the bill are occupational diseases. The list of diseases and conditions include, for example, certain respiratory diseases, certain cancers, beryllium disease, and certain other conditions. The bill requires the Department to report back to the Legislature in five years regarding the number of claims filed that include the presumption. The Committee heard the bill in 2017, but did not hold a public hearing on it in 2018.

The Governor also signed **SSB 6214**, which allows coverage for posttraumatic stress disorders (PTSD) affecting law enforcement officers and fire fighters. The bill also creates a rebuttable presumption that PTSD is an occupational disease. A similar 2017 House bill, **SHB 1655**, would have allowed coverage for stress-based disorders generally. In 2018, the bill passed off the House floor without returning to Committee and died in the Senate Labor and Commerce Committee.

SHB 2633 would have: (1) made the occupational disease presumption for firefighters applicable to emergency medical technicians and public employee fire investigators; (2) added cancers; and (3) created an occupational disease presumption for heart problems and infectious

diseases for law enforcement officers. The companion bill, **SSB 6313**, also would have required the Department to convene a workgroup to recommend options for amending the occupations and diseases for application of a presumption. Both **SHB 2633** and **SSB 6213** died on House Second Reading.

HB 2591 dealt with occupational hearing loss and would have required replacement of hearing instruments at least once every five years. Following a hearing, the Committee did not take further action on the bill.

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Bills Enacted

Bill Number	Prime Sponsor	Summary
<i>BUILDING AND CONSTRUCTION</i>		
1673	Doglio	Responsible Bidder Criteria - Requires training in public works and prevailing wage to be a responsible bidder on public works. Exempts bidders who have completed three or more public works projects and have had a Washington business license for at least three years.
1952	Blake	Electrical Local Enforcement - Permits cities that conduct electrical inspections to enforce state electrical licensing and certification requirements. <i>The Committee did not take action on the bill in 2018. However, it was pulled from Rules and ultimately enacted.</i>
6126	Saldaña	Journey Level Electrician Apprenticeship - Requires completion of an apprenticeship program to obtain a journey level electrician certificate beginning July 1, 2023.
6240	Sheldon	Miniature Hobby Boilers - Exempts certain miniature hobby boilers from periodic inspections after an initial inspection certificate has been issued by the Department of Labor and Industries.
<i>COLLECTIVE BARGAINING</i>		
1237	Sells	Community and Technical College Faculty - Allows Boards of Trustees of community and technical colleges to provide additional compensation to academic employees that exceeds the amount or percentage established by the Legislature. <i>The Committee did not take action on the bill in 2018. However, it was pulled from Rules and ultimately enacted.</i>
2751	Stonier	Public Agency Union Dues and Fees - Provides that if a collective bargaining agreement contains a union security provision, the employer must enforce the agreement by deducting union dues from the payments to union members, or for nonmembers, a fee equivalent to union dues, and written authorization is not required. Provides that if a collective bargaining agreement includes requirements for deductions of payments other than union dues or the equivalent of union dues written authorization of the employee is required.

6229	Van De Wege	Reasonable Access to New Employees - Requires public sector employers to provide exclusive bargaining representatives reasonable access of at least 30 minutes to new employees of the bargaining unit for the purposes of presenting information about the union.
6230	Conway	Professional Port Employees - Authorizes professional employees of port districts to collectively bargain under the Public Employees' Collective Bargaining Act.
6245	Saldaña	Language Access Providers - Requires the Department of Social and Health Services (DSHS), the Health Care Authority (HCA), and the Department of Labor and Industries (L&I) to purchase interpreter services directly from language access providers or through contracts with scheduling and coordinating delivery organizations, or both. Requires the Department of Enterprise Services (DES) to develop a model for state agencies to use to purchase interpreter services from language access providers or through scheduling and coordinating delivery organizations, or both. Places limits on when DSHS may offer spoken language interpreter testing. Authorizes language access providers for the DSHS, HCA, L&I, and DES to form three separate statewide collective bargaining units, and requires the agencies to provide a list of language access providers to labor unions.
<i>EMPLOYMENT - DISCRIMINATION</i>		
1298	Ortiz-Self	Criminal Background – Prohibits an employer from, among other things, including any question on an application about an applicant's criminal background until after the employer initially determines that the applicant is otherwise qualified for the position. Exempts certain employers from the prohibition. Authorizes the Attorney General to enforce the provisions and impose penalties.
1506	Senn	Gender Pay Equity - Modifies the Equal Pay Act by defining "similarly employed," modifying defenses, and making other changes. Prohibits discrimination in providing employment opportunities based on gender. Prohibits retaliation for certain workplace discussions about wages and other matters.
2661	Doglio	Domestic Violence - Discrimination - Makes it unlawful for an employer to discriminate against an applicant or employee because the individual is an actual or perceived victim of domestic violence, sexual assault, or stalking. Makes it unlawful for an employer to refuse to make a reasonable safety accommodation requested by a victim of domestic violence, sexual assault, or stalking unless the accommodation would impose an undue hardship.

5996	Keiser	Sexual Harassment Disclosures - Prohibits an employer from requiring an employee, as a condition of employment, to sign a nondisclosure agreement that prevents the employee from disclosing sexual harassment or sexual assault occurring in the workplace, at work-related events coordinated by or through the employer, or between employees or between an employer and employee, off the employment premises. Provides that such agreement or waiver is void and unenforceable. Makes it an unfair practice under the Washington Law Against Discrimination for an employer to discharge or retaliate against an employee for disclosing or discussing sexual harassment or sexual assault occurring in the workplace. Allows settlement agreements to have confidentiality provisions.
6145	Saldaña	Civil Service Qualifications - Provides that city police and fire department and county sheriff civil service applicants may be lawful permanent residents as an alternative to United States citizens. Allows a city police or county sheriff law enforcement agency to reject an application if the agency deems that it does not have the resources to conduct the background investigation. Changes the background investigation for a fully commissioned peace officer or reserve officer to include proof of lawful permanent resident status as an alternative to United States citizenship.
6313	Keiser	Contracts Regarding Discrimination - Provides that a provision of an employment contract or agreement is void and unenforceable if it requires an employee to waive the right to publicly pursue a cause of action under the Washington Law Against Discrimination or federal antidiscrimination laws or publicly file a complaint with the appropriate state or federal agency, or if it requires an employee to resolve discrimination claims in a dispute resolution process that is confidential.
6471	Keiser	Sexual Harassment Policies - Requires the Human Rights Commission to convene a stakeholder work group to develop model policies and best practices for employers and employees to keep workplaces safe from sexual harassment.

<i>EMPLOYMENT - GENERAL</i>		
2702	Robinson	Family and Medical Leave - Corrects cross-references and makes clarifying changes to family and medical leave insurance provisions.
6188	Dhingra	Peace Officer Discipline - Prohibits a law enforcement agency from taking disciplinary or other adverse personnel action against a peace officer solely because the officer's name is subject to a <i>Brady</i> disclosure or appears on the prosecutor's recurring witness list.
6197	Keiser	Deceased Employees - Removes a limit on indebtedness that may be paid to survivors of a deceased employee of the state and municipal corporations.
<i>SAFETY AND HEALTH</i>		
1953	Dolan	WISHA Penalties - Adjusts penalty maximum and minimum amounts for Washington Industrial Safety and Health Act violations by specifying any higher amounts required by the Occupational Safety and Health Administration.
<i>WAGE AND HOUR</i>		
1672	Frame	Prevailing Wage Law Recovery - Provides that the time period for recovery of wages owed to a worker affected by a prevailing wage determination is tolled until the determination is final. <i>The Committee did not take action on the bill in 2018. However, it was pulled from Rules and ultimately enacted.</i>
5493	Conway	Prevailing Wage Based on Collective Bargaining Agreements - Requires the Department of Labor and Industries to establish the prevailing rate of wage using collective bargaining agreements.
<i>WORKERS' COMPENSATION</i>		
1336	Kirby	Social Security Offset - Eliminates the Social Security retirement offset for injured workers who either were receiving or had applied to receive Social Security benefits before being injured. <i>The Committee did not take action on the bill in 2018. However, it was pulled from Rules and ultimately enacted.</i>
1723	Haler	Hanford Site Workers - Creates a presumption for Hanford nuclear site workers that certain enumerated diseases and conditions are occupational diseases. Requires the Department of Labor and Industries to report to the Legislature after five years regarding the number of claims using the presumption. <i>The Committee did not take action on the bill in 2018. However, it was pulled from Rules and ultimately enacted.</i>

6214	Conway	Posttraumatic Stress Disorders - Creates an exemption from the exclusion of claims based on mental conditions or disabilities caused by stress for claims for posttraumatic stress disorders by certain firefighters and law enforcement officers. Creates a rebuttable presumption that posttraumatic stress disorder is an occupational disease for these firefighters and law enforcement officers.
<i>UNEMPLOYMENT INSURANCE</i>		
2703	Sells	Educational Employees - Changes the eligibility for unemployment benefits for educational employees who have multiple employers. Modifies the analysis of whether an educational employee has a contract or reasonable assurance of continued employment for purposes of unemployment benefits.

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Other Bills Passed Out of Committee*

Bill Number	Prime Sponsor	Summary	Status
<i>BUILDING AND CONSTRUCTION</i>			
1855	Blake	Electrical Contractor Vehicles - Requires vehicles used by electrical contractors to be marked with the contractor's business name and contractor license number. <i>The Committee did not take action on this bill in 2018. However, the bill was placed on the 3rd Reading Calendar, where it died.</i>	H 3 rd Reading
2821	McCabe	Factory Assembled Structure Inspections - Allows the Department of Labor and Industries to delegate its inspection duties related to factory built housing and commercial structures to a qualified inspection agency under specified conditions.	S 2 nd Reading
<i>COLLECTIVE BARGAINING</i>			
1559	Goodman	Arbitration for Uniformed Personnel - Provides binding interest arbitration for duly sworn police officers employed as members of a police force established by the public four-year institutions of higher education. <i>The Committee did not take action on the bill in 2018. However, the bill passed out of the House and died on Senate 2nd Reading.</i>	S 2 nd Reading
2624	Chapman	Reasonable Access to New Employees - Requires certain public sector employers to provide exclusive bargaining representatives reasonable access of at least 30 minutes to new employees of the bargaining unit for the purposes of presenting information about the union. Similar bill enacted (SB 6229).	H 2 nd Reading

* The summary describes the bill at the highest status attained in the House. The status indicated is prior to the transmission of bills to the original house and adjournment sine die.

EMPLOYMENT – DISCRIMINATION			
1182	Stokesbary	Civil Service Qualifications - Provides that city police and fire department and county sheriff civil service applicants may be lawful permanent residents as an alternative to United States citizens. Allows a city police or county sheriff law enforcement agency to reject an application if the agency deems that it does not have the resources to conduct the background investigation. Changes the background investigation for a fully commissioned peace officer or reserve officer to include proof of lawful permanent resident status as an alternative to United States citizenship. Identical bill enacted (SB 6145). The Committee did not take action on the bill in 2018.	H 3 rd Reading
2888	Cody	Workplace Bullying - Makes it an unfair practice under the Washington Law Against Discrimination to subject an employee to an abusive work environment, which means a workplace where an employee is subjected to abusive conduct that is so severe it causes physical, psychological, or economic harm to the employee. Creates affirmative defenses to an action for abusive work environment.	H Approps
EMPLOYMENT - GENERAL			
1300	Riccelli	Employee Status Enforcement - Creates the Employee Fair Classification Act, which prohibits misclassification of employees as independent contractors and creates remedies, including civil penalties and damages. Defines "independent contractor" for purposes of the Employee Fair Classification Act and establishes the same definition for purposes of the Minimum Wage Act, unemployment insurance, industrial insurance, and other employment laws. <i>The Committee did not take action on the bill in 2018. However, it was heard in the Appropriations Committee.</i>	H Approps
2532	Sells	Peace Officer Discipline - Prohibits a law enforcement agency from taking disciplinary or other adverse personnel action against a peace officer solely because the officer's name is subject to a <i>Brady</i> disclosure or appears on the prosecutor's recurring witness list. Identical bill enacted (SB 6188).	H Rules R

2820	McCabe	Healthy Relationships Campaign - Creates a Joint Legislative Task Force on the Healthy Relationships Campaign to identify ways in which the employer and employee community can help curb unhealthy relationships, including domestic violence and sexual harassment.	H Rules R
2903	Stanford	Work Restrictions - Makes noncompetition agreements unenforceable for employees earning less than five times the average weekly wage or who are terminated during a probationary period without just cause; requires "garden leave" for a noncompetition agreement to be enforceable; and places other limits on employment agreements. Prohibits employers from restricting employees working fewer than 40 hours per week or earning less than 200 percent of the applicable minimum wage from having other jobs. Makes violations Consumer Protection Act violations.	H 2 nd Reading
SAFETY AND HEALTH			
1669	Farrell	Crew Size on Certain Trains - Establishes minimum crew size requirements for freight and passenger trains and trains carrying specific hazardous materials. Creates exceptions to the requirements and increases monetary penalties for violations.	H 2 nd Reading
2944	Chapman	Railroad Worker Sick and Fatigue Leave - Prohibits railroad carriers from disciplining certain employees due to layoff due to illness or injury. Requires Class I railroad carriers and certain Class II and III railroad carriers to establish a fatigue layoff program. Addresses job protection, leave balances, and other matters for railroad employees for purposes of family and medical leave.	H 2 nd Reading
6343	Brown	Energy Workers Task Force - Establishes a task force to review information from the presumption of occupational disease for Department of Energy Hanford site workers and to develop recommendations for diagnosing and treating diseases or other health problems of Hanford site workers. Requires the task force to meet twice a year and to submit annual reports to the Legislature.	H Approps
WAGE AND HOUR			
1486	Gregerson	Wage Liens - Creates a wage lien for unpaid wages and includes provisions for establishing, enforcing, and terminating wage liens. <i>The Committee did not take action on the bill in 2018. However, the bill passed out of the Appropriations Committee and died in House Rules.</i>	H Rules R

1715	Riccelli	Health Care Employees - Provides that certain hospital employees must be allowed to take uninterrupted meal and rest periods that are not intermittent, except under limited circumstances. Amends the prohibition on mandatory overtime in health care facilities by including additional employees, prohibiting the employer from using prescheduled on-call time to fill foreseeable staff shortages, and making other changes. <i>The Committee did not take action on the bill in 2018. However, it passed the House and died on Senate 2nd Reading.</i>	S 2 nd Reading
2742	Doglio	Maritime Prevailing Wage - Requires the Department of Labor and Industries (Department) to establish a regional prevailing wage rate for the Puget Sound region for the shipbuilding and ship repair trade, using data collected from 12 counties. Requires the Department to conduct wage surveys of the shipbuilding and ship repair trade on a biennial basis.	H 2 nd Reading
2817	Frame	Correctional Officer Overtime - Requires the Employment Security Department to obtain data from counties regarding mandatory overtime for jail correctional officers.	S Ways & Means
WORKERS' COMPENSATION			
1655	Lovick	Occupational Disease - Stress - Provides that the exclusion for stress-caused mental conditions or disabilities from occupational disease does not apply to members of the Law Enforcement Officers' and Firefighters' Retirement System. <i>The Committee did not take action on the bill in 2018. However, it passed the House and died in the Senate Labor and Commerce Committee.</i>	S Labor & Commerce
2633	Doglio	Occupational Disease Presumptions - Makes occupational disease presumptions available to certain emergency medical technicians and public employee fire investigators. Adds strokes and additional cancers to the presumptions. Creates occupational disease presumptions for heart problems and infectious diseases for law enforcement officers.	H 2 nd Reading

6213	Ranker	Occupational Disease Presumptions - Makes the occupational disease presumptions for certain firefighters applicable to certain emergency medical technicians and public employee fire investigators. Adds additional cancers to the cancer occupational disease presumption. Creates occupational disease presumptions for heart problems and infectious diseases for law enforcement officers. Requires the Department of Labor and Industries to create a workgroup to recommend options for amending presumptions occupations and diseases.	H 2 nd Reading
6226	Keiser	Independent Medical Examinations - Requires self-insured employers to provide electronic copies of medical records to a physician conducting an independent medical examination (IME), and, if not possible, provide paper copies at least 10 business days before the examination. Requires the Collaborative for the Advancement of Telemedicine to develop policies for the Department of Labor and Industries to establish access to telemedicine for IMEs and training for physicians who perform examinations through telemedicine.	H Rules R
<i>UNEMPLOYMENT INSURANCE</i>			
2724	Sells	Musicians - Provides that for certain musicians, the required hours of covered employment for unemployment insurance eligibility is 504 hours rather than 680 hours.	H 2 nd Reading
6264	Ranker	Higher Education Contracts - Prohibits the public institutions of higher education from entering into contracts with private entities to manage unemployment insurance claims on behalf of the institution.	H 2 nd Reading

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Bills Referred to Committee

Bill Number	Prime Sponsor	Summary
<i>BUILDING AND CONSTRUCTION</i>		
2440	Manweller	Plumbing - Changes the ratio of trainees to certified plumbers from 1:1 to 2:1 for journey level plumbing and medical gas piping installation. Allows supervision of trainees through videoconferencing. Makes changes in penalties for plumber infractions and to the State Advisory Board of Plumbers.
<i>EMPLOYMENT</i>		
2812	Stonier	Worker Status - Establishes a system for "portable benefits" by requiring certain business entities to make contributions to benefit providers for the purposes of providing benefits, including industrial insurance, to workers who provide services to consumers under 1099 federal tax status. Creates the Employee Fair Classification Act, which prohibits misclassification of employees as independent contractors and creates remedies, including civil penalties and damages.
2844	Stanford	Call Center Relocation - Requires certain call center employers that intend to relocate to a foreign county to notify the Employment Security Department at least 120 days before the relocation. Makes call center employers that relocate ineligible for tax preferences, grants, and loans for five years. Requires state agency contracts for call center services to provide that the work be performed entirely within the state.
2849	Doglio	Temporary Workers - Establishes specific standards under the Washington Industrial Safety and Health Act for staffing agencies and work site employers. Establishes requirements related to payment of wages, fees, notice of rights, and other matters for staffing agencies and work site employers.

UNEMPLOYMENT INSURANCE		
2977	Shea	Misconduct/Criminal Act - Disqualifies an individual from benefits if the individual is convicted or a finding of fact entered, that, due to law, requires the immediate termination of employment.
2987	Gregerson	Family Responsibilities - Adds good cause quit provisions relating to inaccessibility of care for a child or vulnerable adult. Adds as factors in determining suitable work the claimant's customary work shifts and the availability of caregiving for a child or vulnerable adult. Removes the 17 hour maximum to qualify as a part-time worker.
WAGE AND HOUR		
2275	Eslick	Youth Internship Opportunity - Provides for a youth internship pilot program for larger restaurant and grocery store employers to employ youth interns at less than minimum wage under special certificates issued by the Department of Labor and Industries. Limits the certificates to employers located in cities with a population of 75,000 or less. Requires employers to have a curriculum and meet other requirements.
2571	Stambaugh	Agricultural Fair Employee Overtime - Extends the time period for the exemption from overtime for certain employees at agricultural fairs from not more than 14 days to not more than 21 days.
2830	Eslick	Training Period Wage - Requires the Director of the Department of Labor and Industries to establish procedures that allow certain grocery and restaurant employers to pay new employees 75 percent of the minimum wage for a specified time period.
WORKERS' COMPENSATION		
2591	McBride	Hearing Instruments - Requires replacement of hearing instruments for injured workers at least once every five years.
2697	Pike	Liquor and Drugs - Provides that an injured worker's industrial insurance benefits, other than medical, are reduced if the worker's intoxication was a proximate cause of the worker's injury or death.
2705	McBride	Transportation Contractors - Exempts certain truck owners from mandatory coverage.

2865	Sells	Mental Health Providers - Expands the type of providers who may offer mental health services to injured workers to include masters level mental health counselors, marriage and family therapists, and social workers.
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Other Bills of Interest

Bill Number	Prime Sponsor	Summary	Status
2456	Kilduff	Military Spouses - Unemployment - Requires the departments of Commerce, Employment Security (ESD), and Labor and Industries to initiate a campaign to increase employment opportunities for spouses of military members serving on active duty. Requires the ESD to study providing greater opportunities for spouses to participate in the unemployment insurance program while a spouse is deployed overseas.	Senate 2nd Reading
6199	Cleveland	Consumer Directed Employer Program - Authorizes the Department of Social and Health Services to contract with a consumer directed employer (CDE), which will be a private entity, to be the employer of individual providers (IPs) of in-home care. Provides that IPs under contract with the CDE are not to be considered public employees or vested in the state public employee retirement system.	Enacted
6231	Kuderer	Unfair Labor Practices Statute of Limitations - Provides that the 6 month statute of limitations for an unfair labor practices complaint applies to complaints filed in court as well as with the Public Employment Relations Commission.	Enacted
6393	Braun	Workers' Compensation State Fund - Permits the Department of Labor and Industries to use different calculation methods for State Fund and self-insured pension liabilities.	Enacted
6529	Saldaña	Pesticide Application Work Group - Creates a work group to develop recommendations for improving the safety of pesticide applications. Requires a report to the Governor and Legislature by December 1, 2018.	Enacted