

5739-S

Sponsor(s): Senate Committee on Commerce & Labor (originally sponsored by Senators Horn, Haugen, Schow, Rasmussen and Wood)

Brief Title: Establishing when employers are required to compensate employees for employee wearing apparel.

SB 5739-S.E - DIGEST

(DIGEST AS PASSED LEGISLATURE)

Declares that employers are not required to furnish or compensate employees for apparel that an employer requires an employee to wear during working hours unless the required apparel is a uniform.

Provides a definition of a uniform.

Declares that if an employer changes the color or colors of apparel required to be worn by employees more than once in a calendar year, the employer shall furnish or compensate the employee for the apparel.

Declares that personal protective equipment required for employee protection under chapter 49.17 RCW is not deemed to be employee wearing apparel.

VETO MESSAGE ON SB 5739-S

May 20, 1997

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval, Engrossed Substitute Senate Bill No. 5739 entitled:

"AN ACT Relating to employee wearing apparel;"

This bill would require employers to furnish or compensate employees for apparel that they require employees to wear during working hours if the apparel is distinctive, has a logo, or is an uncommon color. However, if employees are required to wear apparel of a common color that conforms to a general dress code or style, employees would have to pay for that apparel.

While I recognize that employers have the right to require presentable business attire, I also believe that the question of who pays for mandatory workplace attire does not need to be addressed in statute. This issue can be dealt with more appropriately within the existing rule-making authority of the Department of Labor and Industries. I hereby direct the Department to review its rules on workplace attire to expand beyond the current rule but not to the extent of this legislation.

For these reasons, I have vetoed Engrossed Substitute Senate Bill No. 5739 in its entirety.

I am hereby returning, without my approval, Engrossed Substitute Senate Bill No. 5739.

Respectfully submitted,
Gary Locke

Governor