
HOUSE BILL 2756

State of Washington

56th Legislature

2000 Regular Session

By Representatives Conway, Clements, Keiser, Cooper, Kessler, Kenney, Ogden, Wood, O'Brien, Scott, Cody, Dickerson, Sullivan, McIntire, Schual-Berke, Doumit, Santos, Veloria, Ruderman, Edwards, Fisher, Reardon, Lantz, Lovick, Constantine and Tokuda

Read first time 01/19/2000. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to disclosing the pay rate received by staffing
2 agencies; amending RCW 49.12.005; adding a new section to chapter 49.12
3 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 **Sec. 1.** RCW 49.12.005 and 1998 c 334 s 1 are each amended to read
6 as follows:

7 For the purposes of this chapter:

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

10 (2) The term "director" means the director of the department of
11 labor and industries, or the director's designated representative.

12 (3) The term "employer" means any person, firm, corporation,
13 partnership, business trust, legal representative, or other business
14 entity which engages in any business, industry, profession, or activity
15 in this state and employs one or more employees and for the purposes of
16 RCW 49.12.270 through 49.12.295 and 49.12.450 also includes the state,
17 any state institution, any state agency, political subdivisions of the
18 state, and any municipal corporation or quasi-municipal corporation.

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

4 (5) The term "conditions of labor" shall mean and include the
5 conditions of rest and meal periods for employees including provisions
6 for personal privacy, practices, methods and means by or through which
7 labor or services are performed by employees and includes bona fide
8 physical qualifications in employment, but shall not include conditions
9 of labor otherwise governed by statutes and rules and regulations
10 relating to industrial safety and health administered by the
11 department.

12 (6) For the purpose of chapter 16, Laws of 1973 2nd ex. sess. a
13 minor is defined to be a person of either sex under the age of eighteen
14 years.

15 (7) "Staffing agency" means an employer who employs workers for the
16 purpose of rendering services to third persons who supervise and direct
17 their work.

18 NEW SECTION. Sec. 2. A new section is added to chapter 49.12 RCW
19 to read as follows:

20 (1) Each staffing agency shall include a written notification with
21 each payment of wages to its employees specifying the rate paid, or
22 payable, to the staffing agency by, or on behalf of, the recipient of
23 the employee's services for the work performed by the employee, or for
24 any services rendered by the staffing agency with respect to the
25 employee.

26 (2) Any temporary service contractor that violates subsection (1)
27 of this section is subject to a civil penalty in the amount of two
28 hundred fifty dollars per employee per violation for the initial
29 citation, and five hundred dollars per employee per violation for each
30 subsequent citation. The civil penalties provided for in this section
31 are in addition to any other penalty provided by law. In enforcing
32 this section, the director may not penalize a temporary service
33 contractor for a first violation that the director determines was due
34 to an inadvertent mistake or clerical error.

--- END ---