

6675

Sponsor(s): Senators Prentice, Fairley, Rasmussen, Fraser, Keiser, Costa, Franklin and Spanel

Brief Description: Prohibiting health care facilities from requiring employees to perform overtime work.

**SB 6675.E - DIGEST**

(DIGEST AS ENACTED)

Provides that, to safeguard the health, efficiency, and general well-being of health care workers and promote patient safety and quality of care, the legislature finds, as a matter of public policy, that required overtime work should be limited with some reasonable safeguards in order to ensure that the public will continue to receive safe, quality care.

Declares that no employee of a health care facility may be required to work overtime. Attempts to compel or force employees to work overtime are contrary to public policy, and any such requirement contained in a contract, agreement, or understanding is void.

Declares that the acceptance by any employee of overtime is strictly voluntary, and the refusal of an employee to accept such overtime work is not grounds for discrimination, dismissal, discharge, or any other penalty, threat of reports for discipline, or employment decision adverse to the employee.

Does not apply to overtime work that occurs: (1) Because of any unforeseeable emergent circumstance;

(2) Because of prescheduled on-call time;

(3) When the employer documents that the employer has used reasonable efforts to obtain staffing. An employer has not used reasonable efforts if overtime work is used to fill vacancies resulting from chronic staff shortages; or

(4) When an employee is required to work overtime to complete a patient care procedure already in progress where the absence of the employee could have an adverse effect on the patient.

Directs the department of labor and industries to investigate complaints of violations of this act. A violation of this act is a class 1 civil infraction in accordance with chapter 7.80 RCW, except that the maximum penalty is one thousand dollars for each infraction up to three infractions.

Provides that, if there are four or more violations of this act for a health care facility, the employer is subject to a fine of two thousand five hundred dollars for the fourth violation, and five thousand dollars for each subsequent violation. The department of labor and industries is authorized to issue and enforce civil infractions according to chapter 7.80 RCW.