

FINAL BILL REPORT

SHB 2507

C 7 L 04

Synopsis as Enacted

Brief Description: Providing for the recoupment of county and city employee salary and wage overpayments.

Sponsors: By House Committee on Commerce & Labor (originally sponsored by Representatives Conway, Bush, Morrell, Campbell, Chase and Moeller).

House Committee on Commerce & Labor

Senate Committee on Government Operations & Elections

Background:

It is unlawful for an employer to withhold or divert any portion of an employee's wages except in three limited circumstances. These circumstances do not include the recovery of overpayments of wages. Consequently, with one exception, an employer must bring a civil action against an employee to collect such overpayments.

Legislation enacted in 2003 authorized the state, as an employer, to recover overpayments of wages to an employee either by making deductions from subsequent payments of wages to the employee or by a civil action. Deductions are limited to 5 percent of the employee's disposable earnings per pay period, except that they may be for the full amount still outstanding in the final pay period. Deductions may be made only in accordance with a specified process for reviewing and recovering overpayments of wages.

Summary:

Counties and cities, as employers, are authorized to recover overpayments of wages to an employee in the same manner as the state. Disputes relating to overpayments to state, county, and city employees covered by collective bargaining agreements must be resolved using the grievance procedures in such agreements.

Votes on Final Passage:

House 95 0

Senate 48 0

Effective: June 10, 2004