

2352-S

Sponsor(s): House Committee on Commerce & Labor (originally sponsored by Representatives Hudgins, Romero, O'Brien, Conway, G. Simpson, Moeller and Morrell)

Brief Description: Prohibiting employers from requiring employees to train their successors.

HB 2352-S - DIGEST

(DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides that an employer may not order a layoff of workers who were required to train other persons to perform their job duties unless, ten days before the workers began training the other persons, the employer gave written notice of the order to: (1) The workers affected by the order; and

(2) The department.

Requires the written notice to specify: (1) The number of affected positions;

(2) The number of affected positions being relocated or outsourced to a different location one hundred miles or more away;

(3) The job titles and wages of the affected positions;

(4) The locations to which the affected positions are being relocated or outsourced; and

(5) Any additional information specified in rule by the department.

Provides that an employer who fails to give notice as required by this act is liable to each employee entitled to notice who lost his or her employment for: (1) The value of wages at the average regular rate of compensation received by the employee during the last three years of his or her employment, or the employee's final rate of compensation, whichever is higher; and

(2) The value of any benefits to which the employee would have been entitled had his or her employment not been lost, including, but not limited to: (a) The value of any sick leave or other paid time off as defined in RCW 49.12.265; (b) the value of any pension, profit sharing, stock bonus, stock purchase, and stock option plans; and (c) the cost of any medical expenses incurred by the employee that would have been covered under an employee benefit plan.

Provides that liability under this provision is calculated for the period of the employer's violation, up to a maximum of ninety days, or one-half the number of days that the employee was employed by the employer, whichever period is smaller.

Provides that an employer who fails to give notice as required by this act is also subject to a civil penalty of not more than five hundred dollars per employee entitled to notice for each day of the employer's violation. Civil penalties collected under this provision shall be paid into the unemployment trust fund.