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SECOND SUBSTITUTE HOUSE BILL 3024

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State of Washington                      61st Legislature                      2010 Regular Session

By House Ways & Means (originally sponsored by Representatives Conway, Morrell, Van De Wege, Williams, Sullivan, Seaquist, Green, Campbell, Simpson, Wood, and Nelson)

READ FIRST TIME 02/09/10.

1            AN ACT Relating to meal and rest breaks for employees of hospitals;  
2 and adding a new section to chapter 49.12 RCW.

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

4            NEW SECTION.    **Sec. 1.** A new section is added to chapter 49.12 RCW  
5 to read as follows:

6            (1) A hospital licensed under chapter 70.41 RCW shall provide  
7 employees uninterrupted thirty-minute meal breaks and rest breaks of at  
8 least ten minutes or as otherwise agreed to be provided by the  
9 employer, whichever is longer, unless there is:

10            (a) An unforeseeable emergent circumstance as defined in RCW  
11 49.28.130; or

12            (b) A clinical circumstance that may lead to patient harm without  
13 the specific skill or expertise of the employee on break.

14            (2) Rest breaks may be taken at any point during each four-hour  
15 work period during which the employee is required to receive the rest  
16 break.

17            (3) As an exception to the rest break requirement of subsection (1)  
18 of this section, an employee may temporarily choose to take shorter

1 rest breaks equivalent to at least ten minutes during each four-hour  
2 work period.

3 (4) Reporting a missed break is not grounds for discrimination,  
4 dismissal, discharge, or any other penalty, threat of reports for  
5 discipline, or employment decision adverse to the employee.

6 (5) For purposes of this section, "employee" means a person who is  
7 involved in direct patient care activities or clinical services,  
8 receives an hourly wage, and is a:

9 (a) Licensed practical nurse or a registered nurse licensed under  
10 chapter 18.79 RCW;

11 (b) Surgical technologist registered under chapter 18.215 RCW;

12 (c) Radiologic technologist certified under chapter 18.84 RCW;

13 (d) Respiratory care practitioner licensed under chapter 18.89 RCW;

14 (e) Cardiovascular technologist or technician who conducts tests on  
15 pulmonary or cardiovascular systems of patients for diagnostic  
16 purposes; or

17 (f) Diagnostic medical sonographer who produces ultrasonic  
18 recordings of internal organs.

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