
**Labor & Workforce Development
Committee**

HB 1290

Brief Description: Concerning mandatory overtime for certain health care employees.

Sponsors: Representatives Green, Cody, Van De Wege, Sells, Kenney and Reykdal.

Brief Summary of Bill

- Adds correctional facilities to the health care facilities prohibited from requiring overtime from their nursing staff.

Hearing Date: 1/21/11

Staff: Alison Hellberg (786-7152).

Background:

Both federal and Washington state minimum wage laws establish requirements related to overtime work. These laws require covered employees to receive overtime pay for hours worked over 40 hours per week. Another state law requires overtime compensation for certain full-time employees, including nursing staff, of state institutions under the control of the Department of Social and Health Services or the Department of Corrections (DOC) after eight hours of work in a work day or 40 hours of work in a work week. With some exceptions, these wage laws do not prohibit an employer from requiring employees to work overtime.

One exception, enacted in 2002, prohibits covered health care facilities from requiring overtime, except in limited circumstances, for registered nurses and licensed practical nurses who are involved in direct patient care and paid an hourly wage. For this prohibition on mandatory overtime, overtime means work in excess of an agreed upon, regularly scheduled shift of not more than 12 hours in a 24-hour period or 80 hours in a 14-day period. A health care facility means a facility that is licensed under specified laws as a hospital, a hospice, a rural health care

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facility, or a psychiatric hospital. Institutions operated by the DOC are not licensed under the statutes specified in the overtime prohibition law.

Summary of Bill:

State or local correctional institutions that provide health care services to adult inmates are added to the list of health care facilities covered under the prohibition on mandatory overtime for certain registered and licensed practical nurses.

Appropriation: None.

Fiscal Note: Requested on 1/18/2011.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.