
**Labor & Workforce Development
Committee**

HB 1828

Brief Description: Regarding enforcement of family leave violations.

Sponsors: Representatives Dickerson and Sells.

Brief Summary of Bill

- Requires the Department of Labor and Industries to administer and investigate violations of the Family Care Law's anti-discrimination provision.
- Increases the monetary penalty from \$200 to \$500 for violations of any of the Family Care Law's provisions.

Hearing Date: 2/15/11

Staff: Jill Reinmuth (786-7134).

Background:

The state Family Care Law provides that, if employees are entitled to sick leave or other paid time off, employers must allow employees to use their choice of that leave to care for: children with health conditions that require treatment or supervision; or spouses, parents, parents-in-law, or grandparents who have serious health conditions or emergency conditions. It also requires employers to display a poster describing the employer's obligations and the employee's rights, and post the employer's leave policies in a conspicuous place. The Family Care Law prohibits employers from discharging or otherwise discriminating against employees who exercise (or attempt to exercise) their rights, or who file complaints, testify, or assist in related proceedings.

The Department of Labor and Industries (Department) is required to administer and investigate violations of the leave requirement and the poster requirement. The Department is not required to administer or investigate violations of the anti-discrimination provision.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

The Department is authorized to issue a notice of infraction and impose a monetary penalty if it reasonably believes an employer has violated the leave requirement or the poster requirement. The penalty may not exceed \$200 per violation, or for an employer who repeatedly violates the requirements, \$1000 per violation.

Summary of Bill:

The Department of Labor and Industries is required to administer and investigate violations of the anti-discrimination provision of the state Family Care Law. The Department is authorized to issue a notice of infraction, and impose a monetary penalty if it reasonably believes an employer has violated the anti-discrimination provision. The amount of the monetary penalty is increased from \$200 to \$500.

Appropriation: None.

Fiscal Note: Requested on February 14, 2011.

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