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**SENATE BILL 5514**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Senators Braun, Baumgartner, Padden, Sheldon, Schoesler, Angel, Bailey, Warnick, and Honeyford

AN ACT Relating to minimum wage and overtime compensation complaints; and adding a new section to chapter 49.46 RCW.

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

NEW SECTION. **Sec.**  A new section is added to chapter 49.46 RCW to read as follows:

(1) In any action based on any act or omission occurring on or after the effective date of this section, an employer is not subject to liability or penalty for the failure of the employer to pay minimum wages or overtime compensation under this title if the employer establishes that the act or omission complained of was in good faith conformity with and reliance on:

(a) A rule related to any wage payment requirement;

(b) A written order, ruling, approval, opinion, advice, determination, or interpretation of the director; or

(c) An interpretive or administrative policy issued by the department.

(2) The defense described in subsection (1) of this section, if established, is a bar to the action, notwithstanding that after the act or omission, the order, ruling, approval, opinion, advice, determination, or interpretation, or interpretive or administrative policy of the department is modified or rescinded or is determined by judicial authority to be invalid or of no legal effect.

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