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**SUBSTITUTE SENATE BILL 6578**

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**State of Washington 64th Legislature 2016 Regular Session**

**By** Senate Commerce & Labor (originally sponsored by Senators Baumgartner and Braun)

AN ACT Relating to minimum standards of employment; amending RCW 49.46.120 and 49.78.360; adding a new section to chapter 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new section to chapter 53.08 RCW; and adding a new chapter to Title 49 RCW.

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

NEW SECTION. **Sec.**  (1) No city, town, or port district may require, enforce, or otherwise regulate by means of charter, ordinance, regulation, rule, resolution, contract, or purchasing agreement any of the following for private employers: Payment of wages, hours of work, employee retention, labor scheduling, or leave from employment. Any such provisions or terms are void and unenforceable and the law or ordinance of the county in which the city, town, or port district is located applies.

(2) This section applies to all charters, ordinances, regulations, rules, and resolutions regulating payment of wages, hours of work, employee retention, labor scheduling, or leave from employment for private employers adopted by a city, town, or port district after the effective date of this section. Any term in a contract or purchase agreement regarding payment of wages, hours of work, employee retention, labor scheduling, or leave from employment entered into after the effective date of this section is void and unenforceable.

(3) For the purposes of this section:

(a) "Leave from employment" means sick leave, vacation leave, holiday leave, leave when an employee's place of business or child's school or place of care has been closed by order of a public official, and any other type of employee leave except leave for domestic violence, sexual assault, or stalking; and

(b) "Employee retention" means offering work to or retaining employees following a business succession.

(4) Subsections (1) and (2) of this section do not apply to any city, town, or port district laws, ordinances, administrative directives, contracts, or policies that affect only the employees of the city, town, or port district.

(5) This section does not impair any provision of a collective bargaining agreement in effect on the effective date of this section.

(6) The provisions of this section shall be liberally construed.

(7) Subsections (1) and (2) of this section do not apply to charters, ordinances, regulations, rules, and resolutions in effect prior to the effective date of this section.

**Sec.**  RCW 49.46.120 and 1961 ex.s. c 18 s 4 are each amended to read as follows:

This chapter establishes a minimum standard for wages and working conditions of all employees in this state, unless exempted herefrom, and is in addition to and supplementary to any other federal, state, or ((~~local~~)) county law or ordinance, or any rule or regulation issued thereunder. Any standards relating to wages, hours, or other working conditions established by any applicable federal, state, or ((~~local~~)) county law or ordinance, or any rule or regulation issued thereunder, which are more favorable to employees than the minimum standards applicable under this chapter, or any rule or regulation issued hereunder, shall not be affected by this chapter and such other laws, or rules or regulations, shall be in full force and effect and may be enforced as provided by law.

**Sec.**  RCW 49.78.360 and 2006 c 59 s 17 are each amended to read as follows:

((~~Nothing in~~)) This chapter ((~~shall be construed: (1) To~~)) does not modify or affect any state or local law prohibiting discrimination on the basis of race, religion, color, national origin, sex, age, or disability((~~; or (2) to supersede any provision of any local law that provides greater family or medical leave rights than the rights established under this chapter~~)).

NEW SECTION. **Sec.**  Section 1 of this act constitutes a new chapter in Title 49 RCW.

NEW SECTION. **Sec.**  A new section is added to chapter 35.21 RCW to read as follows:

Section 1 of this act governs the authority of a city or town to regulate private employers and to contract regarding wages, hours of work, employee retention, labor scheduling, or leave from employment.

NEW SECTION. **Sec.**  A new section is added to chapter 35A.21 RCW to read as follows:

Section 1 of this act governs the authority of a code city to regulate private employers and to contract regarding wages, hours of work, employee retention, labor scheduling, or leave from employment.

NEW SECTION. **Sec.**  A new section is added to chapter 53.08 RCW to read as follows:

Section 1 of this act governs the authority of a port district to regulate private employers and to contract regarding wages, hours of work, employee retention, labor scheduling, or leave from employment.

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