

SB 5514 - S AMD 236

By Senator Hasegawa

1 On page 1, line 17, after "(2)" strike "The" and insert "Except
2 as provided in subsection (3) of this section, the"

3 On page 2, after line 2, insert the following:

4 "(3) The defense described in subsection (1) of this section is
5 not available if the employee can show by a preponderance of the
6 evidence that there is a pattern of failure to pay minimum wage or
7 overtime compensation based on a protected class covered by RCW
8 49.60.010."

EFFECT: The defense against a wage complaint based on good faith conformity with and reliance on an agency rule or policy is unavailable to employers if the employee can show by a preponderance of the evidence that there is a pattern of failure to pay minimum wage or overtime compensation based on a protected class.

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