

FINAL BILL REPORT

ESB 5893

C 299 L 15
Synopsis as Enacted

Brief Description: Addressing the nonemployee status of athletes affiliated with the Western Hockey League.

Sponsors: Senators Fain, Mullet, Litzow, Lias and Hargrove.

Senate Committee on Commerce & Labor
House Committee on Labor

Background: Minimum Wage Act (MWA). The MWA establishes a minimum wage that must be paid to all employees in the state. Under the MWA, an employee is any individual employed by an employer except those specifically excluded in statute. An employer under the MWA is any individual, partnership, association, corporation, business, trust, or any person or group of persons acting directly or indirectly in the interest of an employer in relation to an employee. Consequently, any individual who is engaged or permitted to work for an employer is entitled to the state minimum wage, unless specifically exempt.

Industrial Welfare Act (IWA). The IWA regulates hours and conditions of labor and other wage issues not specifically covered by the MWA. The IWA applies to all employers and employees in the state unless specifically exempt. An employee under the IWA is an employee who is employed in the business of the employee's employer, whether by manual labor or otherwise. An employer under the IWA includes any person, firm, corporation, partnership, business, trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in the state and employs one or more employees.

Washington's industrial insurance laws do not cover amateur athletes.

Summary: For the purposes of the MWA and IWA, the term employee does not include an individual who is sixteen to twenty years old, in the individual's capacity as a player for a junior ice hockey team that is a member of a regional, national, or international league and that contracts with an arena owned, operated, or managed by a public facilities district.

Votes on Final Passage:

Senate	47	0	
House	91	7	(House amended)

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.

Senate 47 1 (Senate concurred)

Effective: July 24, 2015