
SUBSTITUTE SENATE BILL 6578

State of Washington 64th Legislature 2016 Regular Session

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

READ FIRST TIME 02/04/16.

1 AN ACT Relating to minimum standards of employment; amending RCW
2 49.46.120 and 49.78.360; adding a new section to chapter 35.21 RCW;
3 adding a new section to chapter 35A.21 RCW; adding a new section to
4 chapter 53.08 RCW; and adding a new chapter to Title 49 RCW.

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

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

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

1 entered into after the effective date of this section is void and
2 unenforceable.

3 (3) For the purposes of this section:

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

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

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

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

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

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

21 **Sec. 2.** RCW 49.46.120 and 1961 ex.s. c 18 s 4 are each amended
22 to read as follows:

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

35 **Sec. 3.** RCW 49.78.360 and 2006 c 59 s 17 are each amended to
36 read as follows:

37 ~~((Nothing in))~~ This chapter ~~((shall be construed: (1) To))~~ does
38 not modify or affect any state or local law prohibiting

1 discrimination on the basis of race, religion, color, national
2 origin, sex, age, or disability(~~(; or (2) to supersede any provision~~
3 ~~of any local law that provides greater family or medical leave rights~~
4 ~~than the rights established under this chapter)~~).

5 NEW SECTION. **Sec. 4.** Section 1 of this act constitutes a new
6 chapter in Title 49 RCW.

7 NEW SECTION. **Sec. 5.** A new section is added to chapter 35.21
8 RCW to read as follows:

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

12 NEW SECTION. **Sec. 6.** A new section is added to chapter 35A.21
13 RCW to read as follows:

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

17 NEW SECTION. **Sec. 7.** A new section is added to chapter 53.08
18 RCW to read as follows:

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

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