
SUBSTITUTE HOUSE BILL 2817

State of Washington 65th Legislature 2018 Regular Session

By House Labor & Workplace Standards (originally sponsored by Representatives Frame, Irwin, Sells, Appleton, Pollet, and Stanford)

READ FIRST TIME 02/02/18.

1 AN ACT Relating to limiting overtime for correctional officers;
2 creating new sections; and providing an expiration date.

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

4 NEW SECTION. **Sec. 1.** The legislature finds that correctional
5 officers in the county jails are often required to work significant
6 overtime hours. These long and unpredictable hours impact the
7 officers' health and cause strain on families. The legislature also
8 recognizes that counties face budgetary and other challenges in
9 operating jails. Further, the legislature finds that the problem
10 appears to result from a combination of many factors and that there
11 are a range of possible solutions. Therefore, the legislature intends
12 to gather data to better understand the scope of and reasons for the
13 problem.

14 NEW SECTION. **Sec. 2.** (1) The department shall collect data from
15 each of the counties in the state regarding use of mandatory overtime
16 in jails in the most recent five years for which data is available.
17 The department shall collect at least the following data:

- 18 (a) The number of correctional officers employed by the county;
19 (b) The number of hours of mandatory overtime;
20 (c) The shift on which the mandatory overtime was worked; and

1 (d) Whether an unforeseeable emergent circumstance was the reason
2 for the overtime.

3 (2) A county shall cooperate with and provide the data requested
4 by the department.

5 (3) The definitions in this subsection apply throughout this
6 section unless the context clearly requires otherwise.

7 (a) "Correctional officer" means a person employed by an employer
8 who is responsible for the custody, safety, security, and supervision
9 of inmates in a jail.

10 (b) "Department" means the employment security department.

11 (c) "Jail" means a facility operated by a county and primarily
12 designed, staffed, and used for the housing of adult persons charged
13 with a criminal offense either prior to trial or sentencing or
14 following conviction, or both.

15 (d) "Overtime" means hours in excess of the agreed upon,
16 predetermined, regularly scheduled shift within a twenty-four hour
17 period.

18 (e) "Unforeseeable emergent circumstance" means:

19 (i) A riot or other organized body acting together by force or
20 similar emergency in which a need arises to detain a significant
21 number of persons;

22 (ii) An unforeseen emergency requiring additional staffing occurs
23 in the jail; or

24 (iii) Any other unforeseen disaster or other catastrophic event
25 that affects staffing in the jail.

26 (4) The department shall provide the data collected under this
27 section to the appropriate committees of the legislature by December
28 1, 2019.

29 NEW SECTION. **Sec. 3.** This act expires January 1, 2020.

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