

HOUSE BILL REPORT

SB 6088

As Reported by House Committee On:
Labor & Workplace Standards

Title: An act relating to minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status.

Brief Description: Concerning minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status.

Sponsors: Senators Conway, King, Lovick and Nguyen.

Brief History:

Committee Activity:

Labor & Workplace Standards: 2/20/24, 2/21/24 [DP].

Brief Summary of Bill

- Specifies that "employee," as defined under minimum wage requirements and labor standards, does not include an individual who is contracted to play minor league baseball and who is compensated pursuant to the terms of a collective bargaining agreement (CBA) that expressly provides for wages and working conditions.
- Allows CBAs covering minor league baseball players to supersede rest and meal period rules of the Department of Labor and Industries.
- Excludes minor league baseball players covered by a CBA from employer record keeping requirements concerning tracking hours worked.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 9 members: Representatives Berry, Chair; Fosse, Vice Chair; Schmidt, Ranking Minority Member; Bronoske, Doglio, Ormsby, Ortiz-Self,

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Rude and Ybarra.

Staff: Carter Gale (786-7290) and Trudes Tango (786-7384).

Background:

Minimum Wage Requirements and Labor Standards.

Generally, Washington employers must pay employees at least the hourly minimum wage and overtime rates for those employed in excess of 40 hours in a workweek. Employers must also provide employees at least one hour of paid sick leave for every 40 hours worked. Generally, employees may negotiate with their employers to enter collective bargaining agreements (CBAs) and establish wages or other conditions of work in excess of the statutory minimum standards. Minimum wage requirements and labor standards (MWRLS) define various categories of individuals as not employees. These individuals are excluded from relevant minimum wage, overtime, and sick leave requirements. Statutes also conditionally exclude certain categories of employee from specific requirements.

Minimum wage requirements and labor standards require that all employers subject to any of its provisions make and maintain a record of each employee's name, address, occupation, rate of pay, amount paid each pay period, hours worked each day and each workweek, and such other information as prescribed by the Director of the Department of Labor and Industries (L&I) for the enforcement of MWRLS and authorized rules. Such records must be open for inspection by L&I.

Industrial Welfare.

Industrial Welfare (IW) laws grant authority for L&I to prescribe rules concerning the standards, conditions, and hours of labor. These include rules on rest and meal breaks. Generally, L&I rules require that employees are allowed a rest period of not less than 10 minutes for each four hours of working time, provided that no employee is required to work more than three hours without a rest period. Rest periods are on the employer's time and must be scheduled as near to the midpoint of the work period as possible. L&I rules also provide that no employee is required to work for more than five consecutive hours without a meal period of at least 30 minutes. Meal periods must be on the employer's time when an employee is required to remain on duty or on site in the interest of the employer.

The IW rules must not be construed to interfere with, impede, or in any way diminish the rights of employees to enter CBAs concerning wages or standards or conditions of employment. For public employees and employees in the construction trades, CBAs may supersede or vary from, in part or in total, rules regarding appropriate rest and meal breaks. Employers are also required to make and keep a record of the names of all employees who they employ. Such records must be open for inspection by L&I on request.

Summary of Bill:

Minimum Wage Requirements and Labor Standards.

Any individual who has entered into a contract to play baseball at the minor league level and who is compensated pursuant to the terms of a CBA that expressly provide for wages and working conditions is not an employee under MWRLS. Record keeping requirements for MWRLS do apply to such individuals except for records relating to the hours worked each day and each workweek by such individuals, and any other similar information prescribed by L&I rules as necessary or appropriately related to recording of hours worked for such individuals.

Industrial Welfare.

A CBA may supersede the application of IW laws regarding rest and meal breaks to individuals contracted to play baseball at the minor league level if the terms of the CBA covering such individuals expressly provide for wages and working conditions. Rules adopted under IW laws regarding records of hours worked also do not apply to such individuals.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) In March 2023, minor league players and Major League Baseball (League) reached a historic, first-ever CBA. However, state minimums for overtime, sick leave, and break periods complicated certain provisions because those laws do not recognize how players are not comparable to hourly workers. Minor league players put in extra time for training and practice, all with the goal of pursuing their dreams and getting called up to the majors. Passing this bill will improve the ability of the players and the League to negotiate and reach terms that are most beneficial to all parties. The change is a limited exemption recognizing the distinct work done by minor league baseball players. This bill also provides that these exemptions will only apply if the players are compensated pursuant to a CBA, so if the players and the League cannot reach an agreement, the required minimums would reapply. The players and the League both support this legislation, and passing it would put Washington on the same footing as the federal government and other states where bipartisan majorities have recognized the importance of supporting the collective bargaining process in this field.

(Opposed) None.

Persons Testifying: Senator Steve Conway, prime sponsor; and Christine Brewer and

Steve Gonzalez, Major League Baseball.

Persons Signed In To Testify But Not Testifying: None.