H-0803.1

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**HOUSE BILL 1623**

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**State of Washington 69th Legislature 2025 Regular Session**

**By** Representatives Obras, Fosse, Ortiz-Self, Parshley, Goodman, Macri, Donaghy, Hill, Stonier, Taylor, Berry, Santos, Peterson, Ramel, Gregerson, Reed, Farivar, Reeves, Bergquist, Kloba, Duerr, Ryu, Simmons, Cortes, Thomas, Street, Davis, and Salahuddin

AN ACT Relating to prohibiting deductions for credit card transaction processing fees from employee tips; and amending RCW 49.46.020.

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

**Sec.**  RCW 49.46.020 and 2019 c 236 s 2 are each amended to read as follows:

(1)(a) Beginning January 1, 2017, and until January 1, 2018, every employer shall pay to each of his or her employees who has reached the age of ((~~eighteen~~)) 18 years wages at a rate of not less than ((~~eleven dollars~~)) $11 per hour.

(b) Beginning January 1, 2018, and until January 1, 2019, every employer shall pay to each of his or her employees who has reached the age of ((~~eighteen~~)) 18 years wages at a rate of not less than ((~~eleven dollars and fifty cents~~)) $11.50 per hour.

(c) Beginning January 1, 2019, and until January 1, 2020, every employer shall pay to each of his or her employees who has reached the age of ((~~eighteen~~)) 18 years wages at a rate of not less than ((~~twelve dollars~~)) $12 per hour.

(d) Beginning January 1, 2020, and until January 1, 2021, every employer shall pay to each of his or her employees who has reached the age of ((~~eighteen~~)) 18 years wages at a rate of not less than ((~~thirteen dollars and fifty cents~~)) $13.50 per hour.

(2)(a) Beginning on January 1, 2021, and each following January 1st as set forth under (b) of this subsection, every employer shall pay to each of his or her employees who has reached the age of ((~~eighteen~~)) 18 years wages at a rate of not less than the amount established under (b) of this subsection.

(b) On September 30, 2020, and on each following September 30th, the department of labor and industries shall calculate an adjusted minimum wage rate to maintain employee purchasing power by increasing the current year's minimum wage rate by the rate of inflation. The adjusted minimum wage rate shall be calculated to the nearest cent using the consumer price index for urban wage earners and clerical workers, CPI-W, or a successor index, for the ((~~twelve~~)) 12 months prior to each September 1st as calculated by the United States department of labor. Each adjusted minimum wage rate calculated under this subsection (2)(b) takes effect on the following January 1st.

(3) An employer must pay to its employees: (a) All tips and gratuities; and (b) all service charges as defined under RCW 49.46.160 except those that, pursuant to RCW 49.46.160, are itemized as not being payable to the employee or employees servicing the customer. Tips and service charges paid to an employee are in addition to, and may not count towards, the employee's hourly minimum wage. An employer that permits customers to pay tips or gratuities by credit card shall pay the employees the full amount of the tip or gratuity that the customer indicated on the credit card slip, without any deductions for any credit card payment processing fees or transaction costs that may be charged to the employer by the credit card company.

(4) Beginning January 1, 2018, except as provided in RCW 49.46.180, every employer must provide to each of its employees paid sick leave as provided in RCW 49.46.200 and 49.46.210.

(5) The director shall by regulation establish the minimum wage for employees under the age of ((~~eighteen~~)) 18 years.

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