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ENGROSSED SUBSTITUTE SENATE BILL 5023

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State of Washington

69th Legislature

2025 Regular Session

By Senate Labor & Commerce (originally sponsored by Senators Saldaña, Trudeau, Conway, Frame, Nobles, Salomon, Stanford, Valdez, Wellman, and C. Wilson)

READ FIRST TIME 02/18/25.

1 AN ACT Relating to providing labor market protections for  
2 domestic workers; amending RCW 49.46.010, 49.60.040, and 49.60.230;  
3 adding a new section to chapter 49.60 RCW; adding a new chapter to  
4 Title 49 RCW; creating a new section; prescribing penalties;  
5 providing an effective date; and providing an expiration date.

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

7 NEW SECTION. **Sec. 1.** Whereas domestic workers were historically  
8 excluded from many basic labor protections and whereas these  
9 protections have been identified as a priority to the people of the  
10 state of Washington, this act declares that health, safety, wage  
11 protections, and general welfare are guaranteed for domestic workers.  
12 This includes meal and rest breaks, clarity on what constitutes  
13 working time, sick time to care for themselves and their families,  
14 and the freedom from discrimination and sexual harassment.

15 NEW SECTION. **Sec. 2.** The definitions in this section apply  
16 throughout this chapter unless the context clearly requires  
17 otherwise.

18 (1) "Casual labor" means work that is irregular, uncertain, and  
19 incidental in nature and duration and is different in nature from the  
20 type of paid work in which the worker is customarily engaged in.

1 (2) "Department" means the department of labor and industries.  
2 (3) "Director" means the director of labor and industries.  
3 (4) "Domestic service" means services related to the care of  
4 persons in private homes or the maintenance of private homes or their  
5 premises.  
6 (5) (a) "Domestic worker" includes hourly and salaried employees  
7 and includes any worker who:  
8 (i) Works for one or more hiring entity; and  
9 (ii) Is an individual who works in residences as a nanny, house  
10 cleaner, home care worker, cook, gardener, or household manager, or  
11 for any domestic service purpose including but not limited to: Caring  
12 for a child; providing support services for a person who is sick,  
13 convalescing, elderly, or a person with a disability; providing  
14 housekeeping or house cleaning services; cooking; providing food or  
15 butler services; parking cars; cleaning laundry; gardening; or  
16 working as a household manager.  
17 (b) "Domestic worker" does not include:  
18 (i) Persons who provide babysitting on a casual labor basis;  
19 (ii) Any individual employed in casual labor in or about a  
20 private home, unless employed by a hiring entity for work performed  
21 in the course of the hiring entity's trade, business, or profession;  
22 (iii) Individual providers, as defined in RCW 74.39A.240;  
23 (iv) Persons who perform house sitting, pet sitting, and dog  
24 walking duties that do not involve domestic service; or  
25 (v) Any individual in a family relationship with the hiring  
26 entity.  
27 (6) "Employ" includes to permit to work.  
28 (7) "Family member" shall be liberally construed to include, but  
29 not be limited to, a parent, child, sibling, aunt, uncle, cousin,  
30 grandparent, grandchild, grandniece, or grandnephew, or such  
31 relatives when related by marriage.  
32 (8) "Hiring entity" means any employer, as defined in RCW  
33 49.46.010, who employs a domestic worker, as well as any individual,  
34 partnership, association, corporation, business trust, or any  
35 combination thereof, which pays a wage or pays wages for the services  
36 of a domestic worker. It includes any such entity, person, or group  
37 of persons that provides compensation directly or indirectly to a  
38 domestic worker for the performance of domestic services and any such  
39 entity, person, or persons acting directly or indirectly in the  
40 interest of the hiring entity in relation to the worker. "Hiring

1 entity" does not include state agencies or in-home services agencies  
2 as defined in RCW 70.127.010 if the home care agency receives funds  
3 through chapter 74.39A RCW.

4 (9) "Standard rate of pay" means the agreed-upon rate of pay  
5 between the hiring entity and domestic worker, as reflected in the  
6 written agreement.

7 NEW SECTION. **Sec. 3.** A hiring entity employing a domestic  
8 worker must follow these requirements:

9 (1) A hiring entity employing a domestic worker shall pay the  
10 domestic worker at least the minimum hourly rate as provided by RCW  
11 49.46.020. This constitutes a wage payment requirement as defined in  
12 RCW 49.48.082.

13 (2) A hiring entity employing a domestic worker shall pay the  
14 domestic worker an overtime wage at a rate of one and one-half times  
15 the worker's regular rate for hours worked in excess of 40 hours in a  
16 workweek as provided by RCW 49.46.130. This constitutes a wage  
17 payment requirement as defined in RCW 49.48.082.

18 (3) Domestic workers are entitled to an uninterrupted meal period  
19 of at least 30 minutes which commences no less than two hours nor  
20 more than five hours from the beginning of the shift. Meal periods  
21 shall be on the hiring entity's time when the domestic worker is  
22 required by the hiring entity to remain on duty on the premises or at  
23 a prescribed worksite in the interest of the hiring entity.

24 (a) No domestic worker shall be required to work more than five  
25 consecutive hours without a meal period.

26 (b) Domestic workers working three or more hours longer than a  
27 normal workday shall be allowed at least one 30-minute meal period  
28 prior to or during the overtime period.

29 (c) Domestic workers shall be allowed an uninterrupted rest  
30 period of not less than 10 minutes, on the hiring entity's time, for  
31 each four hours of working time. Rest periods shall be scheduled as  
32 near as possible to the midpoint of the work period. No domestic  
33 worker shall be required to work more than three hours without a rest  
34 period.

35 (d) A hiring entity may not discourage meal and rest periods and  
36 cannot request that a domestic worker voluntarily waive meal and rest  
37 periods requirements.

38 (e) If the nature of the work does not allow a domestic worker to  
39 be relieved of all duties and uninterrupted meal or rest periods may

1 be impractical or impossible, a hiring entity must compensate the  
2 domestic worker for that time at the regular rate of pay for that  
3 worker.

4 (4) Subsections (1), (2), and (3) of this section do not apply  
5 where a domestic worker voluntarily provides additional home care in  
6 excess of a written agreement between only the domestic worker and a  
7 family member to whom the domestic worker is providing services.

8 (5) For domestic workers living in the home of their hiring  
9 entities, the hiring entity must permit the domestic worker to cook  
10 and consume the worker's own food, subject to reasonable restrictions  
11 based on the religious or health needs of the home's residents.

12 (6) The domestic worker must have the right to retain personal  
13 effects, including any legal documents, including forms of  
14 identification, passports, or other immigration documents.

15 (7) All terms and expectations of employment must be in a written  
16 agreement. This includes but is not limited to: Location where the  
17 work will be done; rate of pay, including overtime expectations and  
18 compensation for additional duties, if any; the work schedule at the  
19 time of hire including meal and rest breaks; if applicable, deduction  
20 agreements, information about days of rest, sick days, vacation days,  
21 personal days, and holidays; transportation, severance, and health  
22 insurance costs; and any fees or other costs for the domestic worker  
23 associated with expectations of employment.

24 (a) All written agreements under this subsection (7) shall be:

25 (i) Provided in a language or languages understood by both the  
26 worker and hiring entity; and

27 (ii) Signed and dated by both the hiring entity and the domestic  
28 worker, after any time requested for review by either party has  
29 passed.

30 (b) No provisions in the written agreement may waive a domestic  
31 worker's rights under federal, state, or local law.

32 (c) The agreements may not contain mandatory predispute  
33 arbitration clauses for employee claims of their legal rights,  
34 noncompete agreements, nondisclosure agreements, or nondisparagement  
35 agreements that inhibit a domestic worker's claims of their legal  
36 rights under this chapter, or noncompete agreements that limit the  
37 ability of domestic workers to seek any other form of domestic work  
38 postemployment.

1 (8) Any time a hiring entity initiates a written agreement of  
2 employment, a disclosure of rights specified in section 16 of this  
3 act must accompany that agreement.

4 (9) The hiring entity shall provide a minimum two-week written  
5 notification period before termination of the employment. For live-in  
6 domestic workers, a minimum four-week written notification period  
7 before termination of the employment relationship shall be provided.

8 (a) No notification period is required if:

9 (i) It is in connection with termination of work performed on a  
10 casual labor basis for a hiring entity;

11 (ii) It occurs during an agreed-upon probationary period.

12 (b) Notice of termination requirements do not apply if:

13 (i) The hiring entity terminates employment based on a good faith  
14 belief that the domestic worker has engaged in misconduct as defined  
15 in RCW 50.04.294 or if circumstances outside of the hiring entity or  
16 the hiring entity's control apply. This includes death, or if both  
17 the hiring entity and domestic worker agree that the care needs have  
18 significantly changed and cannot be addressed by the current  
19 employment relationship. If an investigation into termination  
20 commences, the hiring entity must be able to articulate and support  
21 the allegations of misconduct or change of circumstances;

22 (ii) If the domestic worker becomes unable to meet the stated  
23 requirements for compensation as outlined in the written agreement.

24 (c) Failure to provide notification as required under this  
25 subsection shall entitle the domestic worker to severance pay in the  
26 amount of the worker's standard rate of pay multiplied by the regular  
27 number of hours worked over the period of time during which the  
28 required notification was not provided.

29 (10) A hiring entity shall create and maintain records  
30 documenting hours worked, pay rate, meal and rest periods, the  
31 existence of a written agreement, and, where applicable, the leave  
32 time earned and used. If a complaint is filed and an investigation  
33 commences, the hiring entity must make these records accessible.

34 (11) The enforcement entity shall maintain the confidentiality of  
35 all records it obtains in connection with enforcement activities to  
36 the full extent permitted by law.

37 (12) Any wages due to domestic workers under this chapter are  
38 subject to the provisions of RCW 49.52.050 and RCW 49.52.070, where  
39 hiring entities are subject to the same obligations and remedies as  
40 "employers" under those sections.

1        NEW SECTION.    **Sec. 4.**    A hiring entity that employs a domestic  
2 worker may not:

3        (1) Request that the domestic worker allow the hiring entity, on  
4 either a mandatory or voluntary basis, to have possession of any  
5 personal effects, including any legal documents, including forms of  
6 identification, passports, or other immigration documents;

7        (2) Engage in any form of discrimination and harassment,  
8 including as provided in chapter 49.60 RCW. A domestic worker who  
9 brings suit alleging discrimination in violation of RCW 49.60.180  
10 shall be entitled to all substantive rights available under chapter  
11 49.60 RCW;

12        (3) Subject a domestic worker to conduct with the purpose or  
13 effect of unreasonable interfering with the domestic worker's work  
14 performance by creating an intimidating, hostile, or offensive work  
15 environment;

16        (4) Monitor or record, through any means, the activities of the  
17 domestic worker using a bathroom or similar facility, in the domestic  
18 worker's private living quarters, or while the domestic worker is  
19 engaged in personal activities associated with dressing or changing  
20 clothes;

21        (5) Monitor, record, or interfere with the private communications  
22 of a domestic worker;

23        (6) Communicate to a person exercising rights protected under  
24 this chapter, directly or indirectly, the willingness or intent to  
25 inform a government employee or contracted organization suspected  
26 citizenship or immigration status of a domestic worker or a family  
27 member to a federal, state, or local agency because the domestic  
28 worker has exercised any right under this chapter;

29        (7) Take any adverse action against a domestic worker because the  
30 domestic worker has exercised their rights provided under this  
31 chapter. Such rights include, but are not limited to: Filing an  
32 action, organizing or communicating amongst themselves, participating  
33 in political speech, disclosing their immigration status, or  
34 instituting or causing to be instituted any proceeding under or  
35 related to this chapter.

36        NEW SECTION.    **Sec. 5.**    Where more than one hiring entity has an  
37 employment relationship with a domestic worker in connection with  
38 work at the same location, the hiring entities are subject to  
39 liability as well as concurrent fines and penalties for violations of

1 this chapter. Any state agency that does not contract with or employ  
2 domestic workers in the ordinary course of business shall not be  
3 subject to liability unless that state agency directly interferes  
4 with the rights established for domestic workers under this act.

5 NEW SECTION. **Sec. 6.** (1) If a domestic worker files a complaint  
6 with the department alleging a violation of the domestic worker's  
7 rights under section 3 or 4 (1) or (3) through (7) of this act, the  
8 department may investigate the complaint under this section.

9 (a) The department may not investigate any such alleged violation  
10 of rights that occurred more than three years before the date that  
11 the domestic worker filed the complaint.

12 (b) If a domestic worker files a timely complaint with the  
13 department, the department may investigate the complaint and issue  
14 either a citation assessing a civil penalty or a closure letter  
15 within 60 days after the date on which the department received the  
16 complaint, unless the complaint is otherwise resolved. The department  
17 may extend the period by providing advance written notice to the  
18 domestic worker and the hiring entity setting forth good cause for an  
19 extension of the period and specifying the duration of the extension.

20 (c) If the department investigates a violation under this  
21 section, the department may send notice of a citation assessing a  
22 civil penalty or the closure letter to both the hiring entity and the  
23 domestic worker by service of process or using a method by which the  
24 mailing can be tracked or the delivery can be confirmed to their last  
25 known addresses.

26 (2) Unless otherwise resolved, if the department's investigation  
27 finds that the domestic worker's allegation cannot be substantiated,  
28 the department will issue a closure letter to the domestic worker and  
29 the hiring entity detailing such finding.

30 (3) If the department determines that the violation of rights  
31 under this chapter was a willful violation, the department may order  
32 the hiring entity to pay the department a civil penalty as specified  
33 in (a) of this subsection.

34 (a) A citation assessing a civil penalty for a willful violation  
35 of such rights will be \$1,000 for each willful violation. For a  
36 repeat willful violator, the citation assessing a civil penalty will  
37 not be less than \$2,000 for each repeat willful violation, but no  
38 greater than \$20,000 for each repeat willful violation.

1 (b) The department may not issue a citation assessing a civil  
2 penalty if the hiring entity reasonably relied on:

3 (i) A written order, ruling, approval, opinion, advice,  
4 determination, or interpretation of the director; or

5 (ii) An interpretive or administrative policy issued by the  
6 department and filed with the office of the code reviser. In  
7 accordance with the department's retention schedule obligations under  
8 chapter 40.14 RCW, the department will maintain a complete and  
9 accurate record of all written orders, rulings, approvals, opinions,  
10 advice, determinations, and interpretations for purposes of  
11 determining whether a hiring entity is immune from civil penalties  
12 under this subsection (3)(b).

13 (c) The department may, at any time, waive or reduce a civil  
14 penalty assessed under this section.

15 (d) The department will deposit civil penalties paid under this  
16 section into the supplemental pension fund established in RCW  
17 51.44.033.

18 (4) For purposes of this section, the following definitions  
19 apply:

20 (a) "Repeat willful violator" means any hiring entity that has  
21 been the subject of a final and binding citation for a willful  
22 violation of one or more rights under this chapter, and all  
23 applicable rules, within three years of the date of issuance of the  
24 most recent citation for a willful violation of one or more such  
25 rights.

26 (b) "Willful" means a knowing and intentional action that is  
27 neither accidental nor the result of a bona fide dispute.

28 NEW SECTION. **Sec. 7.** (1) A person, firm, or corporation  
29 aggrieved by a citation assessing a civil penalty issued by the  
30 department under section 6 of this act may appeal the citation to the  
31 director by filing a notice of appeal with the director within 30  
32 days of the department's issuance of the citation. A citation not  
33 appealed within 30 days is final and binding, and not subject to  
34 further appeal.

35 (2) A notice of appeal filed with the director under this section  
36 will stay the effectiveness of the citation pending final review of  
37 the appeal by the director as provided for in chapter 34.05 RCW.

38 (3) Upon receipt of a notice of appeal, the director will assign  
39 the hearing to an administrative law judge of the office of

1 administrative hearings to conduct the hearing and issue an initial  
2 order. The hearing and review procedures will be conducted in  
3 accordance with chapter 34.05 RCW, and the standard of review by the  
4 administrative law judge of an appealed citation will be de novo. Any  
5 party who seeks to challenge an initial order shall file a petition  
6 for administrative review with the director within 30 days after  
7 service of the initial order. The director will conduct the  
8 administrative review in accordance with chapter 34.05 RCW.

9 (4) The director will issue all final orders after appeal of the  
10 initial order. The final order of the director is subject to judicial  
11 review in accordance with chapter 34.05 RCW.

12 (5) Orders that are not appealed within the period specified in  
13 this section and chapter 34.05 RCW are final and binding, and not  
14 subject to further appeal.

15 (6) A hiring entity who fails to allow adequate inspection of  
16 records in an investigation by the department within a reasonable  
17 time period may not use such records in any appeal under this section  
18 to challenge the correctness of any determination by the department  
19 of penalties assessed.

20 NEW SECTION. **Sec. 8.** Collections of unpaid citations  
21 administered under sections 6, 7, 10 through 12, and 18 of this act  
22 will be handled pursuant to the procedures outlined in RCW 49.48.086.

23 NEW SECTION. **Sec. 9.** (1) It is unlawful for a hiring entity to  
24 interfere with, restrain, or deny the exercise of any right provided  
25 under or in connection with this chapter. This means a hiring entity  
26 may not use a domestic worker's exercise of any of the rights  
27 provided in this chapter as a negative factor in any employment  
28 action such as evaluation, promotion, or termination, or otherwise  
29 subject a domestic worker to discipline for the exercise of any  
30 rights provided under this chapter.

31 (2) No hiring entity or any other person shall communicate to a  
32 person exercising rights protected under this chapter, directly or  
33 indirectly, the willingness or intent to inform a government employee  
34 or contracted organization suspected citizenship or immigration  
35 status of a domestic worker or a family member to a federal, state,  
36 or local agency because the domestic worker has exercised a right  
37 under this chapter.

1 (3) It is unlawful for a hiring entity to take any adverse action  
2 against a domestic worker because the domestic worker has exercised  
3 their rights provided under this chapter. Such rights include, but  
4 are not limited to: Disclosing their immigration status or  
5 instituting or causing to be instituted any proceeding under or  
6 related to this chapter.

7 (4) Adverse action means any action taken or threatened by a  
8 hiring entity against a domestic worker for their exercise of rights  
9 under this chapter, which may include, but is not limited to:

- 10 (a) Denying the use of any rights provided under this chapter;  
11 (b) Denying or delaying payment due under this chapter;  
12 (c) Terminating, suspending, demoting, or denying a promotion;  
13 (d) Reducing the number of work hours for which the domestic  
14 worker is scheduled;  
15 (e) Altering the domestic worker's preexisting work schedule;  
16 (f) Reducing the domestic worker's rate of pay; and  
17 (g) Threatening to take, or taking action, based upon the  
18 immigration status of a domestic worker or a domestic worker's family  
19 member.

20 (5) It shall be considered a rebuttable presumption of  
21 retaliation if the hiring entity or any other person takes an adverse  
22 action against a domestic worker within 90 calendar days of the  
23 domestic worker's exercise of rights protected under this chapter.  
24 However, in the case of seasonal employment that ended before the  
25 close of the 90 calendar day period, the presumption also applies if  
26 the hiring entity fails to rehire a former domestic worker at the  
27 next opportunity for work in the same position. The hiring entity may  
28 rebut the presumption with clear and convincing evidence that the  
29 adverse action was taken for a permissible purpose.

30 NEW SECTION. **Sec. 10.** (1) A domestic worker who believes that  
31 they were subject to retaliation by their hiring entity, as defined  
32 in this chapter, except for section 4(2) of this act, for the  
33 exercise of any domestic worker right under this chapter, may file a  
34 complaint with the department within 180 days of the alleged  
35 retaliatory action. The department may, at its discretion, extend the  
36 180 day period on recognized equitable principles or because  
37 extenuating circumstances exist. For example, the department may  
38 extend the 180 day period when there is evidence that the hiring

1 entity has concealed or misled the domestic worker regarding the  
2 alleged retaliatory action.

3 (2) If a domestic worker files a timely complaint with the  
4 department alleging retaliation, the department may investigate the  
5 complaint and issue either a citation and notice of assessment or a  
6 determination of compliance within 90 days after the date on which  
7 the department received the complaint, unless the complaint is  
8 otherwise resolved. The department may extend the period by providing  
9 advance written notice to the domestic worker and the hiring entity  
10 setting forth good cause for an extension of the period and  
11 specifying the duration of the extension.

12 (3) The department may consider a complaint to be otherwise  
13 resolved when the domestic worker and the hiring entity reach a  
14 mutual agreement to remedy any retaliatory action, or the domestic  
15 worker voluntarily and on the domestic worker's own initiative  
16 withdraws the complaint. Mutual agreements include, but are not  
17 limited to, rehiring, reinstatement, back pay, and reestablishment of  
18 benefits.

19 (4) If the department's investigation finds that the domestic  
20 worker's allegation of retaliation cannot be substantiated, the  
21 department may issue a determination of compliance to the domestic  
22 worker and the hiring entity detailing such finding.

23 (5) If the department's investigation finds that the hiring  
24 entity retaliated against the domestic worker, and the complaint is  
25 not otherwise resolved, the department may, at its discretion, notify  
26 the hiring entity that the department intends to issue a citation and  
27 notice of assessment, and may provide up to 30 days after the date of  
28 such notification for the hiring entity to take corrective action to  
29 remedy the retaliatory action. If the complaint is not otherwise  
30 resolved, then the department may issue a citation and notice of  
31 assessment. The department's citation and notice of assessment may:

32 (a) Order the hiring entity to make payable to the domestic  
33 worker earnings that the domestic worker did not receive due to the  
34 hiring entity's retaliatory action, including interest of one percent  
35 per month on all earnings owed. The earnings and interest owed will  
36 be calculated from the first date earnings were owed to the domestic  
37 worker;

38 (b) Order the hiring entity to restore the domestic worker to the  
39 position of employment held by the domestic worker when the  
40 retaliation occurred, or restore the domestic worker to an equivalent

1 position with equivalent employment hours, work schedule, benefits,  
2 pay, and other terms and conditions of employment;

3 (c) For the first violation, order the hiring entity to pay the  
4 department a civil penalty as specified in this chapter; and

5 (d) For a repeat violation, order the hiring entity to pay the  
6 department up to double the civil penalty as specified in this  
7 chapter.

8 (6) If the department issues a citation and notice of assessment  
9 or determination of compliance, the department will send the citation  
10 and notice of assessment or determination of compliance to both the  
11 hiring entity and domestic worker by service of process or using a  
12 method by which the mailing can be tracked or the delivery can be  
13 confirmed to their last known addresses.

14 (7) During an investigation of the domestic worker's retaliation  
15 complaint, if the department discovers information suggesting alleged  
16 violations by the hiring entity of the domestic worker's other rights  
17 under this chapter, and all applicable rules, the department may  
18 investigate and take appropriate enforcement action without requiring  
19 the domestic worker to file a new or separate complaint. If the  
20 department determines that the hiring entity violated additional  
21 rights of the domestic worker under this chapter, and all applicable  
22 rules, the hiring entity may be subject to additional enforcement  
23 actions for the violation of such rights. If the department discovers  
24 information alleging the hiring entity retaliated against or  
25 otherwise violated rights of other domestic workers under this  
26 chapter, and all applicable rules, the department may launch further  
27 investigation under this chapter, and all applicable rules, without  
28 requiring additional complaints to be filed.

29 (8) The department may prioritize retaliation investigations as  
30 needed to allow for timely resolution of complaints.

31 (9) Nothing in this chapter limits the department's ability to  
32 investigate under any other authority.

33 (10) Nothing in this chapter limits a domestic worker's right to  
34 pursue private legal action.

35 NEW SECTION. **Sec. 11.** (1) If the department's investigation  
36 finds that a hiring entity retaliated against a domestic worker,  
37 pursuant to the procedures outlined in sections 9 and 10 of this act,  
38 the department may order the hiring entity to pay the department a  
39 civil penalty. A civil penalty for a hiring entity's retaliatory

1 action will not be less than \$1,000 or an amount equal to 10 percent  
2 of the total amount of unpaid earnings attributable to the  
3 retaliatory action, whichever is greater. The maximum civil penalty  
4 for a hiring entity's retaliatory action shall be \$20,000 for the  
5 first violation, and \$40,000 for each repeat violation.

6 (2) The department may, at any time, waive or reduce any civil  
7 penalty assessed against a hiring entity under this section if the  
8 department determines that the hiring entity has taken corrective  
9 action to remedy the retaliatory action.

10 (3) The department will deposit civil penalties paid under this  
11 section in the supplemental pension fund established in RCW  
12 51.44.033.

13 (4) Collections of amounts owed for unpaid citations and notices  
14 of assessment in this section will be handled pursuant to the  
15 procedures outlined in RCW 49.48.086.

16 NEW SECTION. **Sec. 12.** (1) A person, firm, or corporation  
17 aggrieved by a citation and notice of assessment or a determination  
18 of compliance may, within 30 days after the date of such decision,  
19 submit a request for reconsideration to the department setting forth  
20 the grounds for seeking such reconsideration, or submit an appeal to  
21 the director pursuant to the procedures outlined in subsection (4) of  
22 this section. If the department receives a timely request for  
23 reconsideration, the department will either accept the request or  
24 treat the request as a notice of appeal.

25 (2) If a request for reconsideration is accepted, the department  
26 will send notice of the request for reconsideration to the hiring  
27 entity and the domestic worker. The department will determine if  
28 there are any valid reasons to reverse or modify the department's  
29 original decision to issue a citation and notice of assessment or  
30 determination of compliance within 30 days of receipt of such  
31 request. The department may extend this period by providing advance  
32 written notice to the domestic worker and hiring entity setting forth  
33 good cause for an extension of the period and specifying the duration  
34 of the extension. After reviewing the reconsideration, the department  
35 will either:

36 (a) Notify the domestic worker and the hiring entity that the  
37 citation and notice of assessment or determination of compliance is  
38 affirmed; or

1 (b) Notify the domestic worker and the hiring entity that the  
2 citation and notice of assessment or determination of compliance has  
3 been reversed or modified.

4 (3) A request for reconsideration submitted to the department  
5 shall stay the effectiveness of the citation and notice of assessment  
6 or the determination of compliance pending the reconsideration  
7 decision by the department.

8 (4) Within 30 days after the date the department issues a  
9 citation and notice of assessment or a determination of compliance,  
10 or within 30 days after the date the department issues its decision  
11 on the request for reconsideration, a person, firm, or corporation  
12 aggrieved by a citation and notice of assessment or a determination  
13 of compliance may file with the director a notice of appeal.

14 (5) A notice of appeal filed with the director under this section  
15 shall stay the effectiveness of the citation and notice of assessment  
16 or the determination of compliance pending final review of the appeal  
17 by the director as provided for in chapter 34.05 RCW.

18 (6) Upon receipt of a notice of appeal, the director shall assign  
19 the hearing to an administrative law judge of the office of  
20 administrative hearings to conduct the hearing and issue an initial  
21 order. The hearing and review procedures shall be conducted in  
22 accordance with chapter 34.05 RCW, and the standard of review by the  
23 administrative law judge of an appealed citation and notice of  
24 assessment or determination of compliance shall be de novo. Any party  
25 who seeks to challenge an initial order shall file a petition for  
26 administrative review with the director within 30 days after service  
27 of the initial order. The director shall conduct administrative  
28 review in accordance with chapter 34.05 RCW.

29 (7) If a request for reconsideration is not submitted to the  
30 department within 30 days after the date of the original citation and  
31 notice of assessment or determination of compliance, and a person,  
32 firm, or corporation aggrieved by a citation and notice of assessment  
33 or determination of compliance did not submit an appeal to the  
34 director, then the citation and notice of assessment or determination  
35 of compliance is final and binding, and not subject to further  
36 appeal.

37 (8) The director shall issue all final orders after appeal of the  
38 initial order. The final order of the director is subject to judicial  
39 review in accordance with chapter 34.05 RCW.

1 (9) Director's orders that are not appealed within the time  
2 period specified in this section and chapter 34.05 RCW are final and  
3 binding, and not subject to further appeal.

4 (10) A hiring entity who fails to allow adequate inspection of  
5 records in an investigation by the department within a reasonable  
6 time period may not use such records in any appeal to challenge the  
7 correctness of any determination by the department.

8 NEW SECTION. **Sec. 13.** The department may adopt rules to  
9 implement this chapter.

10 NEW SECTION. **Sec. 14.** This chapter establishes minimum  
11 standards and rights of domestic workers in this state, unless  
12 exempted herefrom, and is in addition to and supplementary to any  
13 other federal, state, or local law or ordinance, or any rule or  
14 regulation issued thereunder. Any standards or rights established by  
15 any applicable federal, state, or local law or ordinance, or any rule  
16 or regulation issued thereunder, which are more favorable to domestic  
17 workers than the minimum standards and rights established by this  
18 chapter, or any rule or regulation issued hereunder, shall not be  
19 affected by this chapter and such other laws, or rules or  
20 regulations, shall be in full force and effect and may be enforced as  
21 provided by law. The remedies provided by this chapter are not  
22 exclusive and are concurrent with any other remedy provided by law.

23 NEW SECTION. **Sec. 15.** The department shall develop and make  
24 available a model disclosure statement which describes a hiring  
25 entity's obligations and domestic worker's rights under this chapter,  
26 in at least eight of the most commonly spoken languages in Washington  
27 state. The disclosure statement must include notice about any state  
28 law, rule, or regulation governing maternity disability leave and  
29 indicate that federal or local ordinances, laws, rules, or  
30 regulations may also apply. The model disclosure must also include a  
31 telephone number and an address of the department to enable domestic  
32 workers to obtain more rights, obligations, and enforcement.

33 NEW SECTION. **Sec. 16.** The department shall develop and make  
34 available a model written agreement, which describes a hiring  
35 entity's obligations and domestic worker's rights under this act in  
36 at least eight of the most commonly spoken languages.

1        NEW SECTION.        **Sec. 17.**        (1) A domestic worker who deems  
2 themselves injured by a violation of this act has the right to bring  
3 forward any civil action, in a court of competent jurisdiction, for  
4 any violation of rights pursuant to this act. This means any legal  
5 action necessary to collect such claim, and the hiring entity shall  
6 be required to pay the costs and such reasonable attorneys' fees as  
7 may be allowed by the court.

8        (2) Any agreement between such domestic worker and the hiring  
9 entity allowing the domestic worker to receive less than what is due  
10 under this chapter shall be no defense to such action.

11        NEW SECTION.        **Sec. 18.**        (1) The department may:

12        (a) Upon obtaining information indicating a hiring entity may be  
13 committing a violation under this chapter, except for section 4(2) of  
14 this act, conduct investigations in accordance with section 6 or 10  
15 of this act to ensure compliance with this chapter;

16        (b) Order the payment of all wages owed the domestic worker and  
17 institute actions necessary for the collection of the sums determined  
18 owed, in accordance with section 8 of this act; and

19        (c) Take assignments of wage claims and prosecute actions for the  
20 collection of wages of persons who are financially unable to employ  
21 counsel when in the judgment of the director of the department the  
22 claims are valid and enforceable in the courts.

23        (2) The director of the department or any authorized  
24 representative may, for the purpose of carrying out this chapter:

25        (a) Issue subpoenas to compel the attendance of witnesses or  
26 parties and the production of books, papers, or records;

27        (b) Administer oaths and examine witnesses under oath;

28        (c) Take the verification of proof of instruments of writing; and

29        (d) Take depositions and affidavits. If assignments for wage  
30 claims are taken, court costs shall not be payable by the department  
31 for prosecuting such suits.

32        (3) The director shall have a seal inscribed "Department of Labor  
33 and Industries—State of Washington" and all courts shall take  
34 judicial notice of such seal. Obedience to subpoenas issued by the  
35 director or authorized representative shall be enforced by the courts  
36 in any county.

37        **Sec. 19.**        RCW 49.46.010 and 2024 c 132 s 1 are each amended to  
38 read as follows:

1 As used in this chapter:

2 (1) "Director" means the director of labor and industries;

3 (2) "Employ" includes to permit to work;

4 (3) "Employee" includes any individual employed by an employer  
5 but shall not include:

6 (a) Any individual (i) employed as a hand harvest laborer and  
7 paid on a piece rate basis in an operation which has been, and is  
8 generally and customarily recognized as having been, paid on a piece  
9 rate basis in the region of employment; (ii) who commutes daily from  
10 (~~his or her~~) the individual's permanent residence to the farm on  
11 which (~~he or she~~) the individual is employed; and (iii) who has  
12 been employed in agriculture less than thirteen weeks during the  
13 preceding calendar year;

14 (b) Any individual employed in casual labor in or about a private  
15 home, unless performed in the course of the employer's trade,  
16 business, or profession;

17 (c) Any individual employed in a bona fide executive,  
18 administrative, or professional capacity or in the capacity of  
19 outside salesperson as those terms are defined and delimited by rules  
20 of the director. However, those terms shall be defined and delimited  
21 by the human resources director pursuant to chapter 41.06 RCW for  
22 employees employed under the director of personnel's jurisdiction;

23 (d) Any individual engaged in the activities of an educational,  
24 charitable, religious, state or local governmental body or agency, or  
25 nonprofit organization where the employer-employee relationship does  
26 not in fact exist or where the services are rendered to such  
27 organizations gratuitously. If the individual receives reimbursement  
28 in lieu of compensation for normally incurred out-of-pocket expenses  
29 or receives a nominal amount of compensation per unit of voluntary  
30 service rendered, an employer-employee relationship is deemed not to  
31 exist for the purpose of this section or for purposes of membership  
32 or qualification in any state, local government, or publicly  
33 supported retirement system other than that provided under chapter  
34 41.24 RCW;

35 (e) Any individual employed full time by any state or local  
36 governmental body or agency who provides voluntary services but only  
37 with regard to the provision of the voluntary services. The voluntary  
38 services and any compensation therefor shall not affect or add to  
39 qualification, entitlement, or benefit rights under any state, local

1 government, or publicly supported retirement system other than that  
2 provided under chapter 41.24 RCW;

3 (f) Any newspaper vendor, carrier, or delivery person selling or  
4 distributing newspapers on the street, to offices, to businesses, or  
5 from house to house and any freelance news correspondent or  
6 "stringer" who, using (~~his or her~~) their own equipment, chooses to  
7 submit material for publication for free or a fee when such material  
8 is published;

9 (g) Any carrier subject to regulation by Part 1 of the Interstate  
10 Commerce Act;

11 (h) Any individual engaged in forest protection and fire  
12 prevention activities;

13 (i) Any individual employed by any charitable institution charged  
14 with child care responsibilities engaged primarily in the development  
15 of character or citizenship or promoting health or physical fitness  
16 or providing or sponsoring recreational opportunities or facilities  
17 for young people or members of the armed forces of the United States;

18 (j) Any individual whose duties require that he or she reside or  
19 sleep at the individual's place of (~~his or her~~) employment or who  
20 otherwise spends a substantial portion of his or her work time  
21 subject to call, and not engaged in the performance of active duties,  
22 except for domestic workers as defined in section 2 of this act;

23 (k) Any resident, inmate, or patient of a state, county, or  
24 municipal correctional, detention, treatment or rehabilitative  
25 institution;

26 (l) Any individual who holds a public elective or appointive  
27 office of the state, any county, city, town, municipal corporation or  
28 quasi municipal corporation, political subdivision, or any  
29 instrumentality thereof, or any employee of the state legislature;

30 (m) All vessel operating crews of the Washington state ferries  
31 operated by the department of transportation;

32 (n) Any individual employed as a seaman on a vessel other than an  
33 American vessel;

34 (o) Any farm intern providing (~~his or her~~) the farm intern's  
35 services to a small farm which has a special certificate issued under  
36 RCW 49.12.471;

37 (p) An individual who is at least 16 years old but under twenty-  
38 one years old, in (~~his or her~~) the individual's capacity as a  
39 player for a junior ice hockey team that is a member of a regional,  
40 national, or international league and that contracts with an arena

1 owned, operated, or managed by a public facilities district created  
2 under chapter 36.100 RCW; or

3 (q) Any individual who has entered into a contract to play  
4 baseball at the minor league level and who is compensated pursuant to  
5 the terms of a collective bargaining agreement that expressly  
6 provides for wages and working conditions;

7 (4) "Employer" includes any individual, partnership, association,  
8 corporation, business trust, or any person or group of persons acting  
9 directly or indirectly in the interest of an employer in relation to  
10 an employee;

11 (5) "Occupation" means any occupation, service, trade, business,  
12 industry, or branch or group of industries or employment or class of  
13 employment in which employees are gainfully employed;

14 (6) "Retail or service establishment" means an establishment  
15 seventy-five percent of whose annual dollar volume of sales of goods  
16 or services, or both, is not for resale and is recognized as retail  
17 sales or services in the particular industry;

18 (7) "Wage" means compensation due to an employee by reason of  
19 employment, payable in legal tender of the United States or checks on  
20 banks convertible into cash on demand at full face value, subject to  
21 such deductions, charges, or allowances as may be permitted by rules  
22 of the director.

23 **Sec. 20.** RCW 49.60.040 and 2024 c 161 s 1 are each amended to  
24 read as follows:

25 The definitions in this section apply throughout this chapter  
26 unless the context clearly requires otherwise.

27 (1) "Aggrieved person" means any person who: (a) Claims to have  
28 been injured by an unfair practice in a real estate transaction; or  
29 (b) believes that he or she will be injured by an unfair practice in  
30 a real estate transaction that is about to occur.

31 (2) "Any place of public resort, accommodation, assemblage, or  
32 amusement" includes, but is not limited to, any place, licensed or  
33 unlicensed, kept for gain, hire, or reward, or where charges are made  
34 for admission, service, occupancy, or use of any property or  
35 facilities, whether conducted for the entertainment, housing, or  
36 lodging of transient guests, or for the benefit, use, or  
37 accommodation of those seeking health, recreation, or rest, or for  
38 the burial or other disposition of human remains, or for the sale of  
39 goods, merchandise, services, or personal property, or for the

1 rendering of personal services, or for public conveyance or  
2 transportation on land, water, or in the air, including the stations  
3 and terminals thereof and the garaging of vehicles, or where food or  
4 beverages of any kind are sold for consumption on the premises, or  
5 where public amusement, entertainment, sports, or recreation of any  
6 kind is offered with or without charge, or where medical service or  
7 care is made available, or where the public gathers, congregates, or  
8 assembles for amusement, recreation, or public purposes, or public  
9 halls, public elevators, and public washrooms of buildings and  
10 structures occupied by two or more tenants, or by the owner and one  
11 or more tenants, or any public library or educational institution, or  
12 schools of special instruction, or nursery schools, or day care  
13 centers or children's camps: PROVIDED, That nothing contained in this  
14 definition shall be construed to include or apply to any institute,  
15 bona fide club, or place of accommodation, which is by its nature  
16 distinctly private, including fraternal organizations, though where  
17 public use is permitted that use shall be covered by this chapter;  
18 nor shall anything contained in this definition apply to any  
19 educational facility, columbarium, crematory, mausoleum, or cemetery  
20 operated or maintained by a bona fide religious or sectarian  
21 institution: PROVIDED FURTHER, That this definition, as it relates to  
22 "service animal trainers" and "service animal trainees" as those  
23 terms are defined in this section, shall not include those places of  
24 public accommodation conducted for housing or lodging of transient  
25 guests.

26 (3) "Casual labor" means work that is irregular, uncertain, and  
27 incidental in nature and duration and is different in nature from the  
28 type of paid work in which the worker is customarily engaged in.

29 (4) "Commission" means the Washington state human rights  
30 commission.

31 ((4)) (5) "Complainant" means the person who files a complaint  
32 in a real estate transaction.

33 ((5)) (6) "Covered multifamily dwelling" means: (a) Buildings  
34 consisting of four or more dwelling units if such buildings have one  
35 or more elevators; and (b) ground floor dwelling units in other  
36 buildings consisting of four or more dwelling units.

37 ((6)) (7) "Credit transaction" includes any open or closed end  
38 credit transaction, whether in the nature of a loan, retail  
39 installment transaction, credit card issue or charge, or otherwise,  
40 and whether for personal or for business purposes, in which a

1 service, finance, or interest charge is imposed, or which provides  
2 for repayment in scheduled payments, when such credit is extended in  
3 the regular course of any trade or commerce, including but not  
4 limited to transactions by banks, savings and loan associations or  
5 other financial lending institutions of whatever nature, stock  
6 brokers, or by a merchant or mercantile establishment which as part  
7 of its ordinary business permits or provides that payment for  
8 purchases of property or service therefrom may be deferred.

9 ((7)) (8)(a) "Disability" means the presence of a sensory,  
10 mental, or physical impairment that:

11 (i) Is medically cognizable or diagnosable; or

12 (ii) Exists as a record or history; or

13 (iii) Is perceived to exist whether or not it exists in fact.

14 (b) A disability exists whether it is temporary or permanent,  
15 common or uncommon, mitigated or unmitigated, or whether or not it  
16 limits the ability to work generally or work at a particular job or  
17 whether or not it limits any other activity within the scope of this  
18 chapter.

19 (c) For purposes of this definition, "impairment" includes, but  
20 is not limited to:

21 (i) Any physiological disorder, or condition, cosmetic  
22 disfigurement, or anatomical loss affecting one or more of the  
23 following body systems: Neurological, musculoskeletal, special sense  
24 organs, respiratory, including speech organs, cardiovascular,  
25 reproductive, digestive, genitourinary, hemic and lymphatic, skin,  
26 and endocrine; or

27 (ii) Any mental, developmental, traumatic, or psychological  
28 disorder, including but not limited to cognitive limitation, organic  
29 brain syndrome, emotional or mental illness, and specific learning  
30 disabilities.

31 (d) Only for the purposes of qualifying for reasonable  
32 accommodation in employment, an impairment must be known or shown  
33 through an interactive process to exist in fact and:

34 (i) The impairment must have a substantially limiting effect upon  
35 the individual's ability to perform ((his or her)) the individual's  
36 job, the individual's ability to apply or be considered for a job, or  
37 the individual's access to equal benefits, privileges, or terms or  
38 conditions of employment; or

39 (ii) The employee must have put the employer on notice of the  
40 existence of an impairment, and medical documentation must establish

1 a reasonable likelihood that engaging in job functions without an  
2 accommodation would aggravate the impairment to the extent that it  
3 would create a substantially limiting effect.

4 (e) For purposes of (d) of this subsection, a limitation is not  
5 substantial if it has only a trivial effect.

6 ~~((8))~~ (9) "Dog guide" means a dog that is trained for the  
7 purpose of guiding blind persons or a dog that is trained for the  
8 purpose of assisting hearing impaired persons.

9 ~~((9))~~ (10) "Domestic service" means household services for  
10 members of households or their guests in private homes. "Domestic  
11 service" includes the maintenance of private homes or their premises.

12 (11) "Dwelling" means any building, structure, or portion thereof  
13 that is occupied as, or designed or intended for occupancy as, a  
14 residence by one or more families, and any vacant land that is  
15 offered for sale or lease for the construction or location thereon of  
16 any such building, structure, or portion thereof.

17 ~~((10))~~ (12) "Employ" includes to permit to work.

18 (13) "Employee" does not include ~~((any))~~:

19 (a) Any individual employed by ~~((his or her))~~ the individual's  
20 parents, spouse, or child~~((, or in the domestic service of any~~  
21 person)), unless employed by a third party for the work performed;

22 (b) Persons who provide babysitting on a casual labor basis;

23 (c) Persons who provide services or supports for a family member  
24 on a casual labor basis;

25 (d) Any individual employed in casual labor in or about a private  
26 home, unless employed by a third party for work performed in the  
27 course of a hiring entity's trade, business, or profession;

28 (e) Persons who perform house sitting, pet sitting, and dog  
29 walking duties that do not involve domestic service; or

30 (f) Persons providing services to another family member who is  
31 sick, convalescing, elderly, or a person with a disability, where the  
32 family members do not intend to establish an employer-employee  
33 relationship. An employer-employee relationship does not exist under  
34 such circumstances when:

35 (i) The family members have mutually agreed that care is provided  
36 gratuitously; or

37 (ii) The family member provides services for fewer than 15 hours  
38 per week and the family member providing care does not provide any  
39 domestic services in the person's ordinary course of business.

1       (~~(11)~~) (14) "Employer" includes any person acting in the  
2 interest of an employer or hiring entity, directly or indirectly, who  
3 employs eight or more persons, and does not include any religious or  
4 sectarian organization not organized for private profit. "Employer"  
5 also includes any person employing an employee for domestic service.

6       (~~(12)~~) (15) "Employment agency" includes any person undertaking  
7 with or without compensation to recruit, procure, refer, or place  
8 employees (~~for an employer~~).

9       (~~(13)~~) (16) "Families with children status" means one or more  
10 individuals who have not attained the age of eighteen years being  
11 domiciled with a parent or another person having legal custody of  
12 such individual or individuals, or with the designee of such parent  
13 or other person having such legal custody, with the written  
14 permission of such parent or other person. Families with children  
15 status also applies to any person who is pregnant or is in the  
16 process of securing legal custody of any individual who has not  
17 attained the age of eighteen years.

18       (~~(14)~~) (17) "Full enjoyment of" includes the right to purchase  
19 any service, commodity, or article of personal property offered or  
20 sold on, or by, any establishment to the public, and the admission of  
21 any person to accommodations, advantages, facilities, or privileges  
22 of any place of public resort, accommodation, assemblage, or  
23 amusement, without acts directly or indirectly causing persons of any  
24 particular race, creed, color, sex, sexual orientation, national  
25 origin, or with any sensory, mental, or physical disability, or the  
26 use of a trained dog guide or service animal by a person with a  
27 disability, to be treated as not welcome, accepted, desired, or  
28 solicited.

29       (~~(15)~~) (18) "Hiring entity" means any employer, as defined in  
30 RCW 49.46.010, or in this section, who employs an employee for  
31 domestic services, as well as any individual, partnership,  
32 association, corporation, business trust, or any combination thereof,  
33 which pays a wage or pays wages. It includes any such entity, person,  
34 or group of persons that provides compensation directly or indirectly  
35 to a domestic worker for the performance of domestic services and any  
36 such entity, person, or persons acting directly or indirectly in the  
37 interest of the hiring entity in relation to the domestic worker.  
38 "Hiring entity" does not include a state agency or home care agency  
39 as defined in RCW 70.127.010 and licensed under chapter 70.127 RCW if  
40 the home care agency receives funding through RCW 74.39A.310.

1        (19) "Honorably discharged veteran or military status" means a  
2 person who is:

3        (a) A veteran, as defined in RCW 41.04.007; or

4        (b) An active or reserve member in any branch of the armed forces  
5 of the United States, including the national guard, coast guard, and  
6 armed forces reserves.

7        (~~(16)~~) (20) "Labor organization" includes any organization  
8 which exists for the purpose, in whole or in part, of dealing with  
9 employers concerning grievances or terms or conditions of employment,  
10 or for other mutual aid or protection in connection with employment.

11        (~~(17)~~) (21) "Marital status" means the legal status of being  
12 married, single, separated, divorced, or widowed.

13        (~~(18)~~) (22) "National origin" includes "ancestry."

14        (~~(19)~~) (23) "Person" includes one or more individuals,  
15 partnerships, associations, organizations, corporations,  
16 cooperatives, legal representatives, trustees and receivers, or any  
17 group of persons; it includes any owner, lessee, proprietor, manager,  
18 agent, or employee, whether one or more natural persons; and further  
19 includes any political or civil subdivisions of the state and any  
20 agency or instrumentality of the state or of any political or civil  
21 subdivision thereof.

22        (~~(20)~~) (24) "Premises" means the interior or exterior spaces,  
23 parts, components, or elements of a building, including individual  
24 dwelling units and the public and common use areas of a building.

25        (~~(21)~~) (25) "Race" is inclusive of traits historically  
26 associated or perceived to be associated with race including, but not  
27 limited to, hair texture and protective hairstyles. For purposes of  
28 this subsection, "protective hairstyles" includes, but is not limited  
29 to, such hairstyles as afros, braids, locks, and twists.

30        (~~(22)~~) (26) "Real estate transaction" includes the sale,  
31 appraisal, brokering, exchange, purchase, rental, or lease of real  
32 property, transacting or applying for a real estate loan, or the  
33 provision of brokerage services.

34        (~~(23)~~) (27) "Real property" includes buildings, structures,  
35 dwellings, real estate, lands, tenements, leaseholds, interests in  
36 real estate cooperatives, condominiums, and hereditaments, corporeal  
37 and incorporeal, or any interest therein.

38        (~~(24)~~) (28) "Respondent" means any person accused in a  
39 complaint or amended complaint of an unfair practice in a real estate  
40 transaction.

1        ~~((25))~~ (29) "Service animal" means any dog or miniature horse  
2 that is individually trained to do work or perform tasks for the  
3 benefit of an individual with a disability, including a physical,  
4 sensory, psychiatric, intellectual, or other mental disability. The  
5 work or tasks performed by the service animal must be directly  
6 related to the individual's disability. Examples of work or tasks  
7 include, but are not limited to, assisting individuals who are blind  
8 or have low vision with navigation and other tasks, alerting  
9 individuals who are deaf or hard of hearing to the presence of people  
10 or sounds, providing nonviolent protection or rescue work, pulling a  
11 wheelchair, assisting an individual during a seizure, alerting  
12 individuals to the presence of allergens, retrieving items such as  
13 medicine or the telephone, providing physical support and assistance  
14 with balance and stability to individuals with mobility disabilities,  
15 and helping persons with psychiatric and neurological disabilities by  
16 preventing or interrupting impulsive or destructive behaviors. The  
17 crime deterrent effects of an animal's presence and the provision of  
18 emotional support, well-being, comfort, or companionship do not  
19 constitute work or tasks. This subsection does not apply to RCW  
20 49.60.222 through 49.60.227 with respect to housing accommodations or  
21 real estate transactions.

22        ~~((26))~~ (30) "Service animal trainee" means any dog or miniature  
23 horse that is undergoing training to become a service animal.

24        ~~((27))~~ (31) "Service animal trainer" means an individual  
25 exercising care, custody, and control over a service animal trainee  
26 during a course of training designed to develop the service animal  
27 trainee into a service animal.

28        ~~((28))~~ (32) "Sex" means gender.

29        ~~((29))~~ (33) "Sexual orientation" means heterosexuality,  
30 homosexuality, bisexuality, and gender expression or identity. As  
31 used in this definition, "gender expression or identity" means having  
32 or being perceived as having a gender identity, self-image,  
33 appearance, behavior, or expression, whether or not that gender  
34 identity, self-image, appearance, behavior, or expression is  
35 different from that traditionally associated with the sex assigned to  
36 that person at birth.

37        NEW SECTION.    **Sec. 21.**    A new section is added to chapter 49.60  
38 RCW to read as follows:

1 An employee employed in domestic service who brings suit alleging  
2 discrimination in violation of RCW 49.60.180 shall be entitled to all  
3 the procedural and substantive rights available under this chapter,  
4 except for the right to file a complaint under RCW 49.60.230, except  
5 when:

6 (1) The employer is a person who is elderly or has a disability  
7 that results in discriminatory or harassing behaviors;

8 (2) The employer or a hiring entity informs the employee  
9 providing home care or personal care services to a person who has a  
10 documented behavioral condition, that the employer or hiring entity  
11 has reason to believe that those behaviors will result in  
12 discrimination and abusive conduct likely occurring in or around the  
13 client's home prior to assigning the employee to that client and  
14 throughout the duration of service;

15 (3) The behaviors can be shown as directly resulting from a  
16 diagnosed and documented cognitive impairment; and

17 (4) The employee voluntarily agrees to initiate or continue the  
18 employment relationship; or

19 (5) The employer or hiring entity receiving personal care  
20 services, as defined in RCW 74.39A.009, refuses to hire an employee  
21 based on gender preferences.

22 **Sec. 22.** RCW 49.60.230 and 2020 c 145 s 1 are each amended to  
23 read as follows:

24 (1) Who may file a complaint:

25 (a) Any person, except for an employee employed in domestic  
26 service, claiming to be aggrieved by an alleged unfair practice may,  
27 personally or by his or her attorney, make, sign, and file with the  
28 commission a complaint in writing under oath or by declaration. The  
29 complaint shall state the name of the person alleged to have  
30 committed the unfair practice and the particulars thereof, and  
31 contain such other information as may be required by the commission.

32 (b) Whenever it has reason to believe that any person, except for  
33 an employee employed in domestic service, has been engaged or is  
34 engaging in an unfair practice, the commission may issue a complaint.

35 (c) Any employer or principal whose employees, or agents, or any  
36 of them, refuse or threaten to refuse to comply with the provisions  
37 of this chapter may file with the commission a written complaint  
38 under oath or by declaration asking for assistance by conciliation or  
39 other remedial action.

1 (2) Any complaint filed pursuant to this section must be filed  
2 within six months after the alleged act of discrimination, except  
3 that complaints alleging an unfair practice related to:

4 (a) A real estate transaction pursuant to RCW 49.60.222 through  
5 49.60.225 must be filed within one year after the alleged unfair  
6 practice in a real estate transaction has occurred or terminated;

7 (b) Pregnancy discrimination pursuant to RCW 49.60.180 must be  
8 filed within one year after the alleged unfair practice; and

9 (c) A complaint alleging whistleblower retaliation must be filed  
10 within two years.

11 NEW SECTION. **Sec. 23.** (1) The department of labor and  
12 industries must convene a work group to investigate models allowing  
13 domestic workers to access industrial insurance coverage. Models  
14 considered may include a third-party administrator model or a  
15 consumer directed employer model, or other models involving an  
16 intermediary nonprofit organization. The work group must look at  
17 legislative, regulatory, or other policy changes needed to implement  
18 any recommended model.

19 (2) Members of the work group must be selected and appointed by  
20 the director of the department of labor and industries. The director  
21 must make appointments for the work group in accordance with RCW  
22 43.18A.020.

23 (3) The work group must be comprised of the following members:

24 (a) Two representatives who are directly impacted domestic  
25 workers who work for private home employers or hiring entities;

26 (b) Two representatives who are directly impacted day laborers  
27 who work for private home employers or hiring entities;

28 (c) Two representatives from unions, workers' centers, or  
29 intermediary nonprofit organizations that assist or refer such  
30 directly impacted workers;

31 (d) Two employer or hiring entity representatives who directly  
32 employ or hire single domestic workers in private homes;

33 (e) One employer or hiring entity representative who directly  
34 employs or hires day laborers in a private home;

35 (f) One representative from a nonprofit organization that  
36 educates and organizes household employers; and

37 (g) Two representatives from the department of labor and  
38 industries who shall serve in an ex officio capacity.

1 (4) The work group must report to the appropriate committees of  
2 the legislature by October 1, 2026.

3 (5) The work group is subject to the membership requirements of  
4 RCW 43.18A.020 and the reporting requirement in RCW 43.18A.030.

5 (6) This section expires December 31, 2027.

6 NEW SECTION. **Sec. 24.** Sections 1 through 18 of this act  
7 constitute a new chapter in Title 49 RCW.

8 NEW SECTION. **Sec. 25.** Sections 1 through 22 and 24 of this act  
9 take effect July 1, 2026.

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