

**RCW 49.85.025 Change in control—Employee retention—Transition period.** (1) A successor grocery employer must retain each eligible grocery worker hired pursuant to this chapter for at least 180 days after the eligible grocery worker's employment commencement date. During this 180-day transition employment period, eligible grocery workers must be employed under the terms and conditions established by the successor grocery employer and pursuant to the terms of a relevant collective bargaining agreement, if any.

(2) If, within the period established in RCW 49.85.020(2), the successor grocery employer determines that it requires fewer eligible grocery workers than were required by the incumbent grocery employer, the successor grocery employer must retain eligible grocery workers by seniority within each job classification to the extent that comparable job classifications exist or pursuant to the terms of a relevant collective bargaining agreement, if any. Nonclassified eligible grocery workers must be retained by seniority and according to experience, or pursuant to the terms of a relevant collective bargaining agreement, if any.

(3) During the 180-day transition employment period, the successor grocery employer may not discharge without cause an eligible grocery worker retained pursuant to this chapter.

(4) At the end of the 180-day transition employment period, the successor grocery employer must make a written performance evaluation for each eligible grocery worker retained pursuant to this chapter. If the eligible grocery worker's performance during the 180-day transition employment period is satisfactory, the successor grocery employer must consider offering the eligible grocery worker continued employment under the terms and conditions established by the successor grocery employer and as required by law. The successor grocery employer must retain a record of the written performance evaluation for at least three years. [2024 c 129 s 4.]