

“An overview of Employment Law Legislation for
the 2017 Legislative Session.

Washington State Human Resources Council

HR Day on the Hill

January 26, 2017



Association
of Washington
Business

Washington State's Chamber of Commerce

Review of the 2017 Legislative Session

2017 Legislative Session Employment and Labor Law Legislation

Review of the 2017 Legislative Sessions

Wage and Hour Legislation:

[HB 1300](#) Establishes the employee fair classification act to simplify and enforce employee status under employment laws to ensure fairness to employers and employees and address the underground economy.

[HB 1301](#) Employee Antiretaliation -Addresses retaliation and discrimination against employees and providing protection for employees

Review of the 2017 Legislative Sessions

Wage and Hour Legislation:

[HB 1302](#) Damages for Wage Violations - Increases the penalty for certain wage violations.

[HB 1486](#) Creating a wage recovery act- Creates a statutory wage lien for claims on unpaid wages and creates procedures for establishing, foreclosing, extinguishing, and prioritizing wage liens.

[HB 1533](#) Wage and Salary Information - This bill would limit an employers ability to request wage information from prospective or current employees of past wages. An employer can confirm wages.

Review of the 2017 Legislative Sessions

Equal Pay/Pay Equity Legislation:

[HB 1447](#) - equal pay. Addresses wage discrimination due to an employee's gender. Requires an employer to allow an employee to inquire about, discuss, or disclose, the compensation of the employee or another employee, or to aid or encourage another employee to exercise his or her rights.

Review of the 2017 Legislative Sessions

Equal Pay/Pay Equity Legislation:

[HB 1506](#) - Addressing workplace practices to achieve gender pay equity. This is retooled from the last two years. It contains triple penalties above wage recovery. It also allows for multiple causes of action.

[SB 5140](#) Equal pay and opportunities -This bill modifies the Equal Pay Act to include prohibiting the provision of less favorable employment opportunities based on gender and modify remedies. It also prohibits retaliation for certain workplace wage discussions and other matters.

Review of the 2017 Legislative Sessions

Equal Pay/Pay Equity Legislation:

SB 5344 Enhancing enforcement of the equal pay act. Addresses wage discrimination due to an employee's gender. Requires an employer to allow an employee to inquire about, discuss, or disclose, the compensation of the employee or another employee, or to aid or encourage another employee to exercise his or her rights.

Review of the 2017 Legislative Sessions

Paid Family Leave Legislation

HB 1116 (SB 5032) Family & medical leave insurance-
Implementing family and medical leave insurance. This bill would create a paid family leave system that would split the cost between employers and employees.

SB 5149 This would create a paid family leave system that is funded fully by the employee. It is similar to the New York system

Additional Bills are expected

Review of the 2015-16 Legislative Sessions

Workers' Compensation Legislation:

HB 1228 Workers' comp/liquor & drugs. Limiting industrial insurance benefits for injuries or diseases caused by use of intoxicating liquor or drugs.

HB 1336 Restricting the Social Offset to Disability Compensation - Eliminates the Social Security retirement offset for injured workers who either were receiving or had applied to receive Social Security benefits before being injured. AWB Opposed this bill last year and will oppose it this year.

Review of the 2017 Legislative Sessions

Workers' Compensation:

S-0424.2 - Improving workers' compensation system costs and administration and worker outcomes through modification of procedures for claims to self-insureds, clarification of recovery in third-party legal actions, clarification of occupational disease claims, and lowering age barriers for structured settlements [S-0424.2].

S-0551.2 - Requiring employers' approval for certain workers' compensation third-party settlements [S-0551.2].

Review of the 20157 Legislative Sessions

Other HR Legislation

HB 1094 Medical marijuana/ employment - This bill would limit an employer's ability to terminate individuals for a positive drug test if they have a medical marijuana prescription. This would change the current law that allows employers to have a zero tolerance drug policy.

Review of the 2017 Legislative Sessions

Other HR Legislation

HB 1298 - Prohibiting employers from asking about arrests and convictions before an applicant is determined otherwise qualified for a person. Establishes the Washington fair chance act. Prohibits an employer from including any question on an application for employment, from inquiring either orally or in writing, from receiving information through a criminal history background check, or from otherwise obtaining information about an applicant's criminal record until after the employer initially determines that the applicant is otherwise qualified for the position. Requires the state attorney general's office to enforce this act.

Review of the 2017 Legislative Sessions

Other HR Legislation

1. **Restrictive scheduling**
2. **Non-compete Agreements:**

It is expected that legislation will be introduced in the next few weeks on these topics.

Review of the 2017 Legislative Sessions

Agency Rule Making Activity

1. I-1433 Paid Safe and Sick Leave Rulemaking
2. Meal and Rest Breaks Rulemaking
3. DOSH Lead Exposure Rule Making

Review of the 2017 Legislative Sessions

Questions?

Thank You

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