

RCW 19.320.020 Disclosure statement. (1) Except as provided in subsection (4) of this section, domestic employers of foreign workers and international labor recruitment agencies must provide a disclosure statement as described in this section to foreign workers who have been referred to or hired by a Washington employer on or after June 10, 2010.

(2) The disclosure statement must:

(a) Be provided in English or, if the worker is not fluent or literate in English, another language that is understood by the worker;

(b) State that the worker may be considered an employee under the laws of the state of Washington and is subject to state worker health and safety laws and may be eligible for workers' compensation insurance and unemployment insurance;

(c) State that the worker may be subject to both state and federal laws governing overtime and work hours, including the minimum wage act under chapter 49.46 RCW;

(d) Include an itemized listing of any deductions the employer intends to make from the worker's pay for food and housing;

(e) Include an itemized listing of the international labor recruitment agency's fees;

(f) State that the worker has the right to control over his or her travel and labor documents, including his or her visa, at all times and that the employer may not require the employee to surrender those documents to the employer or to the international labor recruitment agency while the employee is working in the United States, except as otherwise required by law or regulation or for use as supporting documentation in visa applications;

(g) Include a list of services or a hotline a worker may contact if he or she thinks that he or she may be a victim of trafficking.

(3) The department of labor and industries may create a model disclosure form and post the model form on its website so that domestic employers of foreign workers and international labor recruitment agencies may download the form, or mail the form upon request. The disclosure statement must be given to the worker no later than the date that the worker arrives at the place of employment in Washington.

(4) If a foreign worker has been provided an informational pamphlet developed under the William Wilberforce trafficking victims protection reauthorization act of 2008, the domestic employer or international labor recruitment agency is not required to provide the disclosure statement under this section. For the purposes of this subsection a worker is presumed to have been provided an informational pamphlet so long as the William Wilberforce trafficking victims protection reauthorization act is in effect and he or she holds an A-3, G-5, NATO-7, H, J, or B-1 personal or domestic servant visa.
[2010 c 142 § 2; 2009 c 492 § 2.]