

RCW 49.85.015 Definitions. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

(1) "Change in control" means any sale, purchase, assignment, acquisition, transfer, contribution, or other disposition of all or substantially all of the assets, cash on hand, or a controlling interest, including by consolidation, merger, or reorganization, of or by the incumbent grocery employer or any person who controls the incumbent grocery employer or any grocery establishment under the operation or control of either the incumbent grocery employer or any person who controls the incumbent grocery employer.

(2) "Eligible grocery worker" means any individual whose primary place of employment is at the grocery establishment subject to a change in control, and who has worked for the incumbent grocery employer for at least six months prior to the execution of the transfer document. "Eligible grocery worker" does not include a managerial, supervisory, or confidential employee.

(3) "Employment commencement date" means the date on which an eligible grocery worker retained by the successor grocery employer pursuant to this chapter commences work for the successor grocery employer in exchange for benefits and compensation under the terms and conditions established by the successor grocery employer and as required by law.

(4) (a) "Grocery establishment" means a retail store in this state that is over 15,000 square feet in size and that sells primarily household foodstuffs for off-site consumption, including the sale of fresh produce, meats, poultry, fish, deli products, dairy products, canned foods, dry foods, beverages, baked foods, or prepared foods. Other household supplies or other products must be secondary to the primary purpose of food sales.

(b) A distribution center owned and operated by a grocery establishment and used primarily to distribute goods to or from its owned stores is considered a grocery establishment, regardless of its square footage.

(c) A grocery establishment does not include a retail store that has ceased operations for 12 months or more.

(5) "Incumbent grocery employer" means the person that owns, controls, or operates the grocery establishment at the time of the change in control.

(6) "Job classification" means a system for categorizing certain duties into certain jobs.

(7) "Person" means an individual, corporation, partnership, limited partnership, limited liability partnership, limited liability company, business trust, estate, trust, association, joint venture, agency, instrumentality, or any other legal or commercial entity, whether domestic or foreign.

(8) "Successor grocery employer" means the person that owns, controls, or operates the grocery establishment after the change in control. A successor grocery employer may be the same entity as an incumbent employer when a change in control occurs, but the covered employer remains the same. "Successor grocery employer" does not include any person that owns or controls 25 or fewer grocery establishments in the state. A successor grocery employer does not include an establishment operated by a franchisee pursuant to a franchise agreement if the franchisee operates 25 or fewer grocery establishments in the state.

(9) "Transfer document" means the purchase agreement or other document effecting the change in control. [2024 c 129 s 2.]