

2SHB 3024 - H AMD 1207

By Representative Chandler

NOT ADOPTED 2/15/2010

1 Strike everything after the enacting clause and insert the
2 following:

3
4 "NEW SECTION. Sec. 1. A new section is added to chapter 49.12 RCW
5 to read as follows:

6 (1) A hospital licensed under chapter 70.41 RCW shall provide
7 employees with uninterrupted thirty-minute meal breaks and rest breaks
8 of at least ten minutes whichever is longer, unless there is:

9 (a) An unforeseeable emergent circumstance as defined in RCW
10 49.28.130; or

11 (b) A clinical circumstance that may lead to patient harm without
12 the specific skill or expertise of the employee on break.

13 (2) Rest breaks may be taken at any point during each four-hour
14 work period during which the employee is required to take the rest
15 break.

16 (3) When employees of hospitals have entered into collective
17 bargaining agreements, or if employees are not covered by a collective
18 bargaining agreement, an alternative approach developed by the
19 hospital's nurse staffing committee under RCW 70.41.210, that
20 specifically vary from or supersede, in part or in total the
21 requirements of subsections (1) and (2) of this section regarding
22 appropriate meal and rest breaks, those subsections do not apply.

23 (4) For purposes of this section, "employee" means a person who is
24 involved in direct patient care activities or clinical services,
25 receives an hourly wage, and is a licensed practical nurse or a
26 registered nurse licensed under chapter 18.79 RCW."

27

EFFECT: Strikes the provisions of the bill, but maintains the uninterrupted meal and rest break requirements for certain hospital employees.

Removes the allowance of shorter rest breaks equivalent to at least ten minutes during each four hour working period.

Removes the provision that prohibits a hospital from taking an adverse employment action against an employee for reporting a missed break.

Establishes that the uninterrupted meal and rest break requirements do not apply if a collective bargaining agreement or nurse staffing plan specifically varies from or supersedes these requirements.

Limits application of the bill to certain nurses involved in direct patient care activities or clinical services who receive an hourly wage.

--- END ---