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SENATE BILL 5263

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Keiser, Kohl-Welles, and Conway

Read first time 01/19/11. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to leave enforcement under the family care act; and  
2 amending RCW 49.12.280 and 49.12.285.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 49.12.280 and 1988 c 236 s 4 are each amended to read  
5 as follows:

6 The department shall administer ~~((and))~~, investigate, and enforce  
7 violations of RCW 49.12.270 ~~((and))~~, 49.12.275, and 49.12.287.

8 **Sec. 2.** RCW 49.12.285 and 1988 c 236 s 5 are each amended to read  
9 as follows:

10 The department may issue a notice of infraction if the department  
11 reasonably believes that an employer has failed to comply with RCW  
12 49.12.270 ~~((or))~~, 49.12.275, or 49.12.287. The form of the notice of  
13 infraction shall be adopted by rule pursuant to chapter 34.05 RCW. An  
14 employer who is found to have committed an infraction under RCW  
15 49.12.270 ~~((or))~~, 49.12.275, or 49.12.287 may be assessed a monetary  
16 penalty not to exceed ~~((two))~~ five hundred dollars for each violation.  
17 An employer who repeatedly violates RCW 49.12.270 ~~((or))~~, 49.12.275, or  
18 49.12.287 may be assessed a monetary penalty not to exceed one thousand

1 dollars for each violation. For purposes of this section, the failure  
2 to comply with RCW 49.12.275 as to an employee or the failure to comply  
3 with RCW 49.12.270 as to a period of leave sought by an employee shall  
4 each constitute separate violations. An employer has twenty days to  
5 appeal the notice of infraction. Any appeal of a violation determined  
6 to be an infraction shall be heard and determined by an administrative  
7 law judge. Monetary penalties collected under this section shall be  
8 deposited into the general fund.

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