**5514 AMS HASE S2514.1 - NOT FOR FLOOR USE**

**SB 5514** - S AMD **236**

By Senator Hasegawa

On page 1, line 17, after "(2)" strike "The" and insert "Except as provided in subsection (3) of this section, the"

On page 2, after line 2, insert the following:

"(3) The defense described in subsection (1) of this section is not available if the employee can show by a preponderance of the evidence that there is a pattern of failure to pay minimum wage or overtime compensation based on a protected class covered by RCW 49.60.010."

EFFECT: The defense against a wage complaint based on good faith conformity with and reliance on an agency rule or policy is unavailable to employers if the employee can show by a preponderance of the evidence that there is a pattern of failure to pay minimum wage or overtime compensation based on a protected class.