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**HOUSE BILL 2065**

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**State of Washington 65th Legislature 2017 Regular Session**

**By** Representative Condotta

AN ACT Relating to regionalization of the minimum wage; and amending RCW 49.46.020.

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

**Sec.**  RCW 49.46.020 and 2017 c 2 s 3 (Initiative Measure No. 1433) are each amended to read as follows:

(1)((~~(a) Beginning January 1, 2017, and until January 1, 2018, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than eleven dollars per hour.~~

~~(b) Beginning January 1, 2018, and until January 1, 2019, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than eleven dollars and fifty cents per hour.~~

~~(c) Beginning January 1, 2019, and until January 1, 2020, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than twelve dollars per hour.~~

~~(d) Beginning January 1, 2020, and until January 1, 2021, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than thirteen dollars and fifty cents per hour.~~

~~(2)(a) Beginning on January 1, 2021, and each following January 1st as set forth under (b) of this subsection, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than the amount established under (b) of this subsection.~~)) For purposes of this section:

(a) "Urban area" means the following cities: SeaTac, Seattle, and Tacoma.

(b) "Nonurban area" means the following counties: Clallam, Jefferson, Grays Harbor, Pacific, Wahkiakum, Skamania, Klickitat, Kittitas, Chelan, Mason, Okanogan, Douglas, Grant, Columbia, Garfield, Asotin, Whitman, Adams, Lincoln, Ferry, Stevens, Whatcom, Kitsap, Island, San Juan, Skagit, Lewis, Cowlitz, Clark, Yakima, Benton, Franklin, Walla Walla, and Pend Oreille.

(c) "Standard area" means the following counties: Snohomish, Thurston, and Spokane; and the areas in King county outside of the city of Seattle and the city of SeaTac, and the areas in Pierce county outside of the city of Tacoma.

(2) Beginning on the effective date of this section, and until January 1, 2018, every employer in a standard area shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than eleven dollars and fifty cents per hour. In the same time period, every employer in a nonurban area shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than ten dollars per hour. In the same time period, every employer in an urban area shall pay to each of his or her employees wages at a rate pursuant to all charters, ordinances, regulations, rules, and/or resolutions regulating payment of wages adopted by the respective city before the effective date of this section.

(3)(a) Beginning January 1, 2018, and each following January 1st as set forth under (b) of this subsection, every employer shall pay to each of his or her employees who has reached the age of eighteen years wages at a rate of not less than the amount established under (b) of this subsection.

(b) On September 30, ((~~2020~~)) 2017, and on each following September 30th, the department of labor and industries shall calculate an adjusted minimum wage rate to maintain employee purchasing power by increasing the current year's minimum wage rate by the rate of inflation. The adjusted minimum wage rate shall be calculated to the nearest cent using the consumer price index for all urban ((~~wage earners and clerical workers, CPI-W~~)) consumers, CPI-U, or a successor index, for the twelve months prior to each September 1st as calculated by the United States department of labor. Each adjusted minimum wage rate calculated under this subsection ((~~(2)~~)) (3)(b) takes effect on the following January 1st.

((~~(3)~~)) (4) An employer must pay to its employees: (a) All tips and gratuities; and (b) all service charges as defined under RCW 49.46.160 except those that, pursuant to RCW 49.46.160, are itemized as not being payable to the employee or employees servicing the customer. Tips and service charges paid to an employee are in addition to, and may not count towards, the employee's hourly minimum wage.

((~~(4)~~)) (5) Beginning January 1, 2018, every employer must provide to each of its employees paid sick leave as provided in RCW 49.46.200 and 49.46.210.

((~~(5)~~)) (6) The state of Washington hereby occupies and preempts the entire field regarding payment of wages. A city, town, county, or port district may not require, enforce, or otherwise regulate payment of wages. Any such provisions or terms shall not be adopted or agreed to and are preempted and unenforceable. The state preemption created in this section applies to all charters, ordinances, regulations, rules, and resolutions regulating payment of wages adopted by a city, town, county, or port district after the effective date of this section.

(7) The director shall by regulation establish the minimum wage for employees under the age of eighteen years.

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