
SENATE BILL 6578

State of Washington

64th Legislature

2016 Regular Session

By Senators Baumgartner and Braun

Read first time 01/27/16. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to local regulation of private employers;
2 amending RCW 49.46.120 and 49.78.360; adding a new section to chapter
3 35.21 RCW; adding a new section to chapter 35A.21 RCW; adding a new
4 section to chapter 53.08 RCW; and adding a new chapter to Title 49
5 RCW.

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

7 NEW SECTION. **Sec. 1.** (1) No city, town, or port district may
8 require, enforce, or otherwise regulate by means of charter,
9 ordinance, regulation, rule, resolution, contract, or purchasing
10 agreement any of the following for private employers: Payment of
11 wages, hours of work, employee retention, or leave from employment.
12 Any such provisions or terms are void and unenforceable and the law
13 or ordinance of the county in which the city, town, or port district
14 is located applies.

15 (2) This section applies to all charters, ordinances,
16 regulations, rules, and resolutions regulating payment of wages,
17 hours of work, employee retention, or leave from employment for
18 private employers adopted by a city, town, or port district before or
19 after the effective date of this section. Any term in a contract or
20 purchase agreement regarding payment of wages, hours of work,

1 employee retention, or leave from employment entered into after the
2 effective date of this section is void and unenforceable.

3 (3) For the purposes of this section:

4 (a) "Leave from employment" means sick leave, vacation leave,
5 holiday leave, leave when an employee's place of business or child's
6 school or place of care has been closed by order of a public
7 official, and any other type of employee leave except leave for
8 domestic violence, sexual assault, or stalking; and

9 (b) "Employee retention" means offering work to or retaining
10 employees following a business succession.

11 (4) Subsections (1) and (2) of this section do not apply to any
12 city, town, or port district laws, ordinances, administrative
13 directives, contracts, or policies that affect only the employees of
14 the city, town, or port district.

15 (5) This section does not impair any provision of a collective
16 bargaining agreement in effect on the effective date of this section.

17 (6) The provisions of this section shall be liberally construed.

18 **Sec. 2.** RCW 49.46.120 and 1961 ex.s. c 18 s 4 are each amended
19 to read as follows:

20 This chapter establishes a minimum standard for wages and working
21 conditions of all employees in this state, unless exempted herefrom,
22 and is in addition to and supplementary to any other federal, state,
23 or ~~((local))~~ county law or ordinance, or any rule or regulation
24 issued thereunder. Any standards relating to wages, hours, or other
25 working conditions established by any applicable federal, state, or
26 ~~((local))~~ county law or ordinance, or any rule or regulation issued
27 thereunder, which are more favorable to employees than the minimum
28 standards applicable under this chapter, or any rule or regulation
29 issued hereunder, shall not be affected by this chapter and such
30 other laws, or rules or regulations, shall be in full force and
31 effect and may be enforced as provided by law.

32 **Sec. 3.** RCW 49.78.360 and 2006 c 59 s 17 are each amended to
33 read as follows:

34 ~~((Nothing in))~~ This chapter ~~((shall be construed: (1) To))~~ does
35 not modify or affect any state or local law prohibiting
36 discrimination on the basis of race, religion, color, national
37 origin, sex, age, or disability ~~((; or (2) to supersede any provision~~

1 ~~of any local law that provides greater family or medical leave rights~~
2 ~~than the rights established under this chapter)).~~

3 NEW SECTION. **Sec. 4.** Section 1 of this act constitutes a new
4 chapter in Title 49 RCW.

5 NEW SECTION. **Sec. 5.** A new section is added to chapter 35.21
6 RCW to read as follows:

7 Section 1 of this act governs the authority of a city or town to
8 regulate private employers and to contract regarding wages, hours of
9 work, employee retention, or leave from employment.

10 NEW SECTION. **Sec. 6.** A new section is added to chapter 35A.21
11 RCW to read as follows:

12 Section 1 of this act governs the authority of a code city to
13 regulate private employers and to contract regarding wages, hours of
14 work, employee retention, or leave from employment.

15 NEW SECTION. **Sec. 7.** A new section is added to chapter 53.08
16 RCW to read as follows:

17 Section 1 of this act governs the authority of a port district to
18 regulate private employers and to contract regarding wages, hours of
19 work, employee retention, or leave from employment.

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