

---

**HOUSE BILL 1398**

---

**State of Washington**

**69th Legislature**

**2025 Regular Session**

**By** Representatives Scott, Berry, Peterson, Reed, Reeves, Parshley, Doglio, Tharinger, Fosse, Ryu, Street, and Hill

Read first time 01/20/25. Referred to Committee on Labor & Workplace Standards.

1 AN ACT Relating to factors which are considered in interest  
2 arbitration for adult family home providers; and amending RCW  
3 41.56.465.

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

5 **Sec. 1.** RCW 41.56.465 and 2007 c 278 s 1 are each amended to  
6 read as follows:

7 (1) In making its determination, the panel shall be mindful of  
8 the legislative purpose enumerated in RCW 41.56.430 and, as  
9 additional standards or guidelines to aid it in reaching a decision,  
10 the panel shall consider:

11 (a) The constitutional and statutory authority of the employer;  
12 (b) Stipulations of the parties;  
13 (c) The average consumer prices for goods and services, commonly  
14 known as the cost of living;

15 (d) Changes in any of the circumstances under (a) through (c) of  
16 this subsection during the pendency of the proceedings; and

17 (e) Such other factors, not confined to the factors under (a)  
18 through (d) of this subsection, that are normally or traditionally  
19 taken into consideration in the determination of wages, hours, and  
20 conditions of employment. For those employees listed in RCW  
21 41.56.030(~~(+7)~~) (14)(a) who are employed by the governing body of a

1 city or town with a population of less than fifteen thousand, or a  
2 county with a population of less than seventy thousand, consideration  
3 must also be given to regional differences in the cost of living.

4 (2) For employees listed in RCW 41.56.030(~~(+7)~~) (14) (a) through  
5 (d), the panel shall also consider a comparison of the wages, hours,  
6 and conditions of employment of personnel involved in the proceedings  
7 with the wages, hours, and conditions of employment of like personnel  
8 of like employers of similar size on the west coast of the United  
9 States.

10 (3) For employees listed in RCW 41.56.030(~~(+7)~~) (14) (e) through  
11 (h), the panel shall also consider a comparison of the wages, hours,  
12 and conditions of employment of personnel involved in the proceedings  
13 with the wages, hours, and conditions of employment of like personnel  
14 of public fire departments of similar size on the west coast of the  
15 United States. However, when an adequate number of comparable  
16 employers exists within the state of Washington, other west coast  
17 employers may not be considered.

18 (4) For employees listed in RCW 41.56.028:

19 (a) The panel shall also consider:

20 (i) A comparison of child care provider subsidy rates and  
21 reimbursement programs by public entities, including counties and  
22 municipalities, along the west coast of the United States; and

23 (ii) The financial ability of the state to pay for the  
24 compensation and benefit provisions of a collective bargaining  
25 agreement; and

26 (b) The panel may consider:

27 (i) The public's interest in reducing turnover and increasing  
28 retention of child care providers;

29 (ii) The state's interest in promoting, through education and  
30 training, a stable child care workforce to provide quality and  
31 reliable child care from all providers throughout the state; and

32 (iii) In addition, for employees exempt from licensing under  
33 chapter 74.15 RCW, the state's fiscal interest in reducing reliance  
34 upon public benefit programs including but not limited to medical  
35 coupons, food stamps, subsidized housing, and emergency medical  
36 services.

37 (5) For employees listed in RCW 41.56.029 and 74.39A.270:

38 (a) The panel shall consider:

39 (i) A comparison of wages, hours, and conditions of employment of  
40 publicly reimbursed personnel providing similar services to similar

1 clients, including clients who are elderly, frail, or have  
2 developmental disabilities, both in the state and across the United  
3 States; and

4 (ii) The financial ability of the state to pay for the  
5 compensation and fringe benefit provisions of a collective bargaining  
6 agreement; and

7 (b) The panel may consider:

8 (i) A comparison of wages, hours, and conditions of employment of  
9 publicly employed personnel providing similar services to similar  
10 clients, including clients who are elderly, frail, or have  
11 developmental disabilities, both in the state and across the United  
12 States;

13 (ii) The state's interest in promoting a stable long-term care  
14 workforce to provide quality and reliable care to vulnerable elderly  
15 and disabled recipients;

16 (iii) The state's interest in ensuring access to affordable,  
17 quality health care for all state citizens; and

18 (iv) The state's fiscal interest in reducing reliance upon public  
19 benefit programs including but not limited to medical coupons, food  
20 stamps, subsidized housing, and emergency medical services.

21 (6) Subsections (2) and (3) of this section may not be construed  
22 to authorize the panel to require the employer to pay, directly or  
23 indirectly, the increased employee contributions resulting from  
24 chapter 502, Laws of 1993 or chapter 517, Laws of 1993 as required  
25 under chapter 41.26 RCW.

--- END ---