

# SENATE BILL REPORT

## SB 6119

---

As of February 2, 2000

**Title:** An act relating to civil penalties for employment and labor law violations.

**Brief Description:** Creating civil penalties for employment and labor law violations.

**Sponsors:** Senators Fairley, Heavey, Fraser, Prentice, Gardner and Kline.

**Brief History:**

**Committee Activity:** Labor & Workforce Development: 1/27/2000.

---

### SENATE COMMITTEE ON LABOR & WORKFORCE DEVELOPMENT

**Staff:** Jill Reinmuth (786-7452)

**Background:** Most state labor laws are enforced by the Department of Labor and Industries, and violators are subject to civil penalties. Other labor laws, however, are enforced by county prosecutors, and violators are subject to criminal fines and/or imprisonment.

Some labor laws providing for criminal prosecution, fines, and imprisonment, specify the amounts of the fines and the terms of imprisonment. Most, however, do not. If not specified, the amounts of the fines are: (1) not less than \$1,000 nor more than \$5,000 for gross misdemeanors; and (2) not more than \$1,000 for misdemeanors.

Concerns have been expressed that county prosecutors lack the resources necessary to enforce most of these labor laws, and that criminal prosecution of violations of most of these labor laws is rare.

**Summary of Substitute Bill:** For most labor laws currently providing for criminal prosecution, fines, and imprisonment, enforcement authority is shifted from county prosecutors to the Department of Labor and Industries. Criminal fines and/or imprisonment are converted to civil penalties.

The labor and employment law enforcement account is created. Penalties collected for violations of certain labor and employment laws are deposited in the account, and are used to administer and enforce these laws. The account is subject to allotment, but not appropriation.

The director of the Department of Labor and Industries is authorized to make rules related to the act.

**Substitute Bill Compared to Original Bill:** The original bill was not considered.

**Appropriation:** None.

**Fiscal Note:** State government fiscal note requested on January 17, 2000; local government fiscal note available.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.