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**HOUSE BILL 1694**

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**State of Washington 64th Legislature 2015 Regular Session**

**By** Representatives Sells, Peterson, Walkinshaw, McBride, Ormsby, Fitzgibbon, S. Hunt, Reykdal, Moscoso, and Pollet

AN ACT Relating to retail and service employees who work on Thanksgiving day; amending RCW 49.46.020; and adding a new section to chapter 49.46 RCW.

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

**Sec.**  RCW 49.46.020 and 1999 c 1 s 1 are each amended to read as follows:

(1) Until January 1, 1999, 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 four dollars and ninety cents per hour.

(2) Beginning January 1, 1999, and until January 1, 2000, 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 five dollars and seventy cents per hour.

(3) Beginning January 1, 2000, and until January 1, 2001, 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 six dollars and fifty cents per hour.

(4)(a) Beginning on January 1, 2001, 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, 2000, 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 urban wage earners and clerical workers, CPI-W, 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 (4)(b) takes effect on the following January 1st.

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

(6)(a) Beginning November 1, 2015, a retail or service establishment employer shall pay each of its retail or service employees for hours the employee works on Thanksgiving day wages at a rate of three times the amount of the employee's hourly rate. If the hours worked on Thanksgiving day are hours that the employer would be required to pay overtime under RCW 49.46.130, the wage rate under this subsection shall be the wage rate used for the hours the employee works on Thanksgiving day.

(b) A retail or service employer is not required to pay treble wages if the employee is covered by a collective bargaining agreement that does not require the employee to be paid at that wage rate.

NEW SECTION. **Sec.**  A new section is added to chapter 49.46 RCW to read as follows:

A retail or service establishment employer or any person acting on behalf of the employer may not adversely affect the employment status, wages, hours, or employment conditions of a retail or service employee for the employee's refusal to work on Thanksgiving day.

**--- END ---**