
**Labor & Workplace Standards
Committee**

HB 1706

Brief Description: Eliminating subminimum wage certificates for persons with disabilities.

Sponsors: Representatives Frame, Sells, Macri, Doglio, Gregerson, Riccelli, Callan, Jinkins, Goodman, Valdez, Bergquist, Kloba and Pollet.

Brief Summary of Bill

- Eliminates special certificates that allow an employer to pay below the minimum wage to workers with disabilities.

Hearing Date: 2/11/19

Staff: Trudes Tango (786-7384).

Background:

Employers covered under the state Minimum Wage Act are required to pay employees age 18 or older at least the minimum hourly wage. The Department of Labor and Industries (Department) has authority to issue special certificates to employers to pay wages below the minimum wage, in order to prevent curtailment of opportunities for employment.

The Department may issue special certificates applicable to employees who are physically or mentally handicapped and other workers with disabilities. "Worker with a disability" is defined as an individual whose earning capacity is impaired by age or physical or mental deficiency or injury for the work the person is to perform.

In the application for a special certificate, the employer must set forth, among other things, the proposed wage to be paid, the nature of the disability, and how the worker's disability affects the work performed.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Generally, the pay rate may not be less than 75 percent of the applicable minimum wage unless, after investigation, a lower rate appears to be clearly justified. Special certificates are effective for only the period of time designated by the Department, which is normally two years.

Summary of Bill:

The Department's authority to issue special certificates for employers to pay below minimum wage to workers who are handicapped or disabled is eliminated.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.