

FINAL BILL REPORT

EHB 1706

C 374 L 19
Synopsis as Enacted

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.

House Committee on Labor & Workplace Standards
Senate Committee on Labor & Commerce

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) may issue special certificates to private and public sector employers to pay certain employees wages below the minimum wage, in order to prevent curtailment of opportunities for employment.

One type of special certificate is 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, mental deficiency, or injury for the work the person is to perform.

Generally, the pay rate under a special certificate 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 typically two years.

Summary:

Beginning July 1, 2020, no state agency may employ an individual under a special subminimum wage certificate issued for persons with disabilities. Any special certificate issued by the Department to a state agency for the employment of a person with a disability at less than the minimum wage must expire by June 30, 2020. "State agency" means any office, department, commission, or other unit of state government.

Votes on Final Passage:

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.

House 81 17
Senate 48 0 (Senate amended)
House 90 6 (House concurred)

Effective: July 28, 2019