

SENATE BILL REPORT

SB 5707

As of January 31, 2019

Title: An act relating to employees required to continue to work without regular payment.

Brief Description: Concerning employees who are required to work without regular payment.

Sponsors: Senators Keiser, Hasegawa, Hunt and Nguyen.

Brief History:

Committee Activity: Labor & Commerce: 2/04/19.

Brief Summary of Bill

- Makes any governmental employer that requires an employee to continue to work without regular payment of wages liable to the employee for damages equal to three times the unpaid wages, costs, and reasonable attorneys.

SENATE COMMITTEE ON LABOR & COMMERCE

Staff: Susan Jones (786-7404)

Background: The Wage Payment Act allows the Department of Labor & Industries (L&I) to collect unpaid wages on behalf of workers. A worker who believes an employer owes the worker wages can file a wage complaint with L&I. Upon receipt of a wage complaint, L&I has 60 days to investigate the complaint and determine whether the employer owes wages. If L&I determines that wages are owed, a citation and notice of assessment will be issued and sent to the employer and employee. L&I can order the employer to pay wages owed, including interest, and a civil penalty if the violation was willful.

If a final order is issued and the employer defaults in payment of wages owed or the civil penalty, L&I can file a warrant with the county clerk. The amount of the warrant becomes a lien on the employer's real or personal property.

An employee who has filed a wage complaint with L&I may elect to terminate L&I's administrative action, preserving the employee's private right of action. To make the

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election, the employee must provide written notice to L&I within ten business days after the employee's receipt of L&I's citation and notice of assessment.

Summary of Bill: Any governmental employer, including federal, state, county, incorporated city or town, or other municipal corporation, that requires an employee to continue to work without regular payment of wages is liable to the employee for damages equal to three times the unpaid wages, costs, and reasonable attorneys.

Appropriation: None.

Fiscal Note: Not requested.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: The bill contains an emergency clause and takes effect immediately.