

WAC 296-136-030 Warehouse quota written descriptions and notices. (1) An employer must provide to each employee, upon hire, or within 30 calendar days of July 1, 2024, a written description as required by RCW 49.84.020 which includes:

(a) Each quota to which the employee is subject, including the quantified number of tasks to be performed or materials to be produced or handled within a defined time period;

(b) Any potential adverse employment action that could result from failure to meet each quota; and

(c) Any incentives or bonus programs associated with meeting or exceeding each quota.

(2) The format of the written description may be provided in an electronic or hard copy.

(3) The written description must be in plain language.

(4) The initial written description must be provided immediately in the employee's choice of English or English and the employee's selected language from the top six other languages spoken in the state, according to the current languages identified by the Washington office of financial management. If an employee makes the employer aware of a preferred language outside of English and the top six other languages spoken in the state, the employee must receive the initial written description in their preferred language within 15 calendar days. The employee must receive any future written descriptions in their preferred language and English in accordance with subsection (7) of this section.

(5) The written description must inform the employee of their protections under RCW 49.84.020 and associated rules.

(6) When providing a written description with an incentive or bonus program associated, such description must:

(a) Describe any rate(s) in which the incentive or bonus is paid; and

(b) How any rate(s) apply to the quantified number of tasks to be performed or materials to be produced or handled within a defined time period.

(7) Whenever there is a change to the quota that results in a different quota than the most recent written description provided to the employee, the employer must:

(a) Notify the employee verbally or in writing as soon as possible and before the employee is subject to the new quota; and

(b) Provide the employee with an updated written description of each quota to which the employee is subject within two business days of the quota change in the employee's choice of:

(i) English;

(ii) English and the employee's selected language from the top six other languages spoken in the state, according to the current languages identified by the Washington office of financial management; or

(iii) English and any preferred language outside of English and the top six other languages spoken in the state, if previously identified by the employee.

(8) Whenever an employer takes an adverse action against an employee in whole or in part for failure to meet a quota, the employer must provide that employee with the applicable quota for the employee and the personal work speed data for the employee that was the basis for the adverse action.

[Statutory Authority: Chapter 49.84 RCW. WSR 24-12-045, § 296-136-030, filed 5/31/24, effective 7/1/24.]