

WSR 23-15-087  
PREPROPOSAL STATEMENT OF INQUIRY  
DEPARTMENT OF  
LABOR AND INDUSTRIES

[Filed July 18, 2023, 9:16 a.m.]

Subject of Possible Rule Making: Paid sick leave, including provisions that apply to certain construction workers, under chapter 296-128 WAC.

Statutes Authorizing the Agency to Adopt Rules on this Subject: ESSB 5111; chapter 49.46 RCW.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state legislature passed ESSB 5111 during the 2023 legislative session, which amends RCW 49.46.210 and 49.46.180 to require payment for accrued and unused sick leave for certain construction workers.

Rules are needed to clarify and enforce the new requirements. Additional rules are needed to address existing statutory requirements in RCW 49.46.180, as well as general cleanups of the paid sick leave rules.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Not applicable.

Process for Developing New Rule: The department of labor and industries will develop the proposed rule language in conjunction with a group of stakeholders. The public may also participate after rules are proposed by providing written comments and/or testimony during the public hearing and comment period.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Bridget Osborne, Department of Labor and Industries, Fraud Prevention and Labor Standards, Division of Employment Standards, P.O. Box 44510, Olympia, WA 98504-4510, phone 360-902-5552, email ESRules@Lni.wa.gov.

July 18, 2023  
Joel Sacks  
Director