

WSR 24-16-133
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Filed August 6, 2024, 2:30 p.m.]

Subject of Possible Rule Making: Washington Equal Pay and Opportunities Act (EPOA). New chapter under Title 296 WAC, Department of labor and industries (L&I).

Statutes Authorizing the Agency to Adopt Rules on this Subject: EPOA, RCW 49.58.090.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The Washington state legislature passed SHB 1905, chapter 353, Laws of 2024. The bill significantly expands the existing worker protections against pay and promotion discrimination based on gender under EPOA, chapter 49.58 RCW, by broadening its protections to include 14 protected classes.

L&I has enforcement authority for EPOA, and existing statute language provides L&I with rule-making authority.

L&I will engage in rule making to implement and enforce new EPOA requirements as well as clarify existing requirements.

SHB 1905 goes into effect on July 1, 2025.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: Washington state human rights commission; United States Equal Employment Opportunity Commission.

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after the rules are proposed by providing written comments or giving oral testimony during the public hearing and comment process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Reed Simock, L&I, Fraud Prevention and Labor Standards, Employment Standards, P.O. Box 44510, Olympia, WA 98504-4510, phone 360-480-3237, fax 360-902-5552, email ESRules@Lni.wa.gov.

Additional comments: For more information on L&I rule making, visit the rule-making activity web page at <https://www.lni.wa.gov/rulemaking-activity/>.

August 6, 2024
Joel Sacks
Director