

HOUSE BILL REPORT

HB 2433

*As Reported By House Committee on:
Commerce & Labor*

Title: An act relating to payment of wages.

Brief Description: Providing for the payment of wages.

Sponsor(s): Representatives Prentice, Heavey, G. Cole, Franklin, R. King and Jones.

Brief History:

Reported by House Committee on:
Commerce & Labor, February 6, 1992, DP.

**HOUSE COMMITTEE ON
COMMERCE & LABOR**

Majority Report: *Do pass.* Signed by 7 members:
Representatives Heavey, Chair; G. Cole, Vice Chair;
Franklin; Jones; R. King; O'Brien; and Prentice.

Minority Report: *Do not pass.* Signed by 4 members:
Representatives Fuhrman, Ranking Minority Member; Lisk,
Assistant Ranking Minority Member; Vance; and Wilson.

Staff: Chris Cordes (786-7117).

Background: When an employee ceases to work for an employer, the employer is required to pay any wages owed to the employee by the end of the established pay period.

Employees may bring civil suits for wage claims against employers. If the employer has paid a lower wage than is required by law or contract with intent to deprive the employee of wages, the employee may recover double damages.

Summary of Bill: Agricultural employees must be paid wages due within 24 hours after the employee ceases to work for the employer.

An employer that willfully fails to pay an employee's wages at the termination of employment within the time limits required by law is subject to a new penalty. As the penalty, the wages of the employee who was not paid will continue at the same rate until the employee is paid, for a

maximum of 30 days. This penalty is in addition to other wage collection remedies available to the employee.

In a dispute over the wages owed to an employee, the employer must pay any wages conceded to be due within the time limits established by law for wage payment at the termination of employment. Acceptance of this wage payment does not affect any other remedies that the employee might have with respect to other wages claimed by the employee.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: It is very important for workers to be paid quickly when leaving a seasonal job. They must move on at the end of harvest or when a job ends and need the wages until the next job starts. Many workers find that they must request their wages numerous times, and may give up trying to collect the wages. Often they do not even know what the pay rate is for the job. The Department of Labor and Industries is too overburdened to be able to assist workers with small wage collections.

Testimony Against: Many growers will be unable to cut workers' checks within 24 hours because the wage payment may be based on a processor's determination of the amount harvested that day. This information is not available within 24 hours of the time a worker quits the job. Many growers pay weekly.

Witnesses: (In favor) Tomas Villanueva, United Farm Workers; Bill Nacacio, Centro Campesino; and Rosa Maria Cortez, Evergreen Legal Services.

(Opposed) Curtis Parrish, Washington Asparagus Growers Association.