

2 EHB 2847 - S COMM AMD

3 By Committee on Labor, Commerce & Trade

4 ADOPTED AS AMENDED 3/1/96

5 Strike everything after the enacting clause and insert the  
6 following:

7 "NEW SECTION. **Sec. 1.** A new section is added to chapter 49.12 RCW  
8 to read as follows:

9 (1) Whenever an employer requires an employee to wear a uniform or  
10 other article of wearing apparel of a specific style or color, it must  
11 be furnished by the employer. Usual and customary wearing apparel in  
12 conformance to a general dress standard need not be furnished by the  
13 employer.

14 (2) Notwithstanding subsection (1) of this section, an employer who  
15 requires an employee to wear black or white apparel not of a specific  
16 style is not required to furnish the apparel to the employee.

17 (3) If the director, or the director's designee, finds that an  
18 employer has violated this section, he or she shall order the employer  
19 to reimburse any employee for the cost of wearing apparel required to  
20 be provided under this section and may assess the employer a civil  
21 penalty of not more than two hundred dollars for each violation.

22 (4) The department may adopt rules to implement this section.

23 **Sec. 2.** RCW 49.12.005 and 1994 c 164 s 13 are each amended to read  
24 as follows:

25 For the purposes of this chapter:

26 (1) The term "department" means the department of labor and  
27 industries.

28 (2) The term "director" means the director of the department of  
29 labor and industries, or the director's designated representative.

30 (3) The term "employer" means any person, firm, corporation,  
31 partnership, business trust, legal representative, or other business  
32 entity which engages in any business, industry, profession, or activity  
33 in this state and employs one or more employees and for the purposes of  
34 RCW 49.12.270 through 49.12.295 and section 1 of this act also includes  
35 the state, any state institution, any state agency, political

1 subdivisions of the state, and any municipal corporation or quasi-  
2 municipal corporation.

3 (4) The term "employee" means an employee who is employed in the  
4 business of the employee's employer whether by way of manual labor or  
5 otherwise.

6 (5) The term "conditions of labor" shall mean and include the  
7 conditions of rest and meal periods for employees including provisions  
8 for personal privacy, practices, methods and means by or through which  
9 labor or services are performed by employees and includes bona fide  
10 physical qualifications in employment, but shall not include conditions  
11 of labor otherwise governed by statutes and rules and regulations  
12 relating to industrial safety and health administered by the  
13 department.

14 (6) For the purpose of chapter 16, Laws of 1973 2nd ex. sess. a  
15 minor is defined to be a person of either sex under the age of eighteen  
16 years.

17 NEW SECTION. **Sec. 3.** This act is necessary for the immediate  
18 preservation of the public peace, health, or safety, or support of the  
19 state government and its existing public institutions, and shall take  
20 effect immediately."

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24 On page 1, line 3 of the title, after "apparel;" strike the  
25 remainder of the title and insert "amending RCW 49.12.005; adding a new  
26 section to chapter 49.12 RCW; prescribing penalties; and declaring an  
27 emergency."

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