
SUBSTITUTE HOUSE BILL 1828

State of Washington **62nd Legislature** **2011 Regular Session**

By House Labor & Workforce Development (originally sponsored by Representatives Dickerson and Sells)

READ FIRST TIME 02/17/11.

1 AN ACT Relating to leave enforcement under the family care act; and
2 amending RCW 49.12.280 and 49.12.285.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 49.12.280 and 1988 c 236 s 4 are each amended to read
5 as follows:

6 The department shall administer ~~((and))~~, investigate, and enforce
7 violations of RCW 49.12.270 and ~~((49.12.275))~~ 49.12.287.

8 **Sec. 2.** RCW 49.12.285 and 1988 c 236 s 5 are each amended to read
9 as follows:

10 The department may issue a notice of infraction if the department
11 reasonably believes that an employer has failed to comply with RCW
12 49.12.270 or ~~((49.12.275))~~ 49.12.287. The form of the notice of
13 infraction shall be adopted by rule pursuant to chapter 34.05 RCW. An
14 employer who is found to have committed an infraction under RCW
15 49.12.270 or ~~((49.12.275))~~ 49.12.287 may be assessed a monetary penalty
16 not to exceed ~~((two))~~ five hundred dollars for each violation. An
17 employer who repeatedly violates RCW 49.12.270 or ~~((49.12.275))~~
18 49.12.287 may be assessed a monetary penalty not to exceed one thousand

1 dollars for each violation. For purposes of this section, (~~the~~
2 ~~failure to comply with RCW 49.12.275 as to an employee or~~) the failure
3 to comply with RCW 49.12.270 as to a period of leave sought by an
4 employee or the failure to comply with RCW 49.12.287 as to an employee
5 shall each constitute separate violations. An employer has twenty days
6 to appeal the notice of infraction. Any appeal of a violation
7 determined to be an infraction shall be heard and determined by an
8 administrative law judge. Monetary penalties collected under this
9 section shall be deposited into the general fund.

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