

HOUSE BILL REPORT

ESSB 6217

As Passed House:

March 4, 2020

Title: An act relating to minimum labor standards for certain employees working at an airport or air navigation facility.

Brief Description: Concerning minimum labor standards for certain employees working at an airport or air navigation facility.

Sponsors: Senate Committee on Labor & Commerce (originally sponsored by Senators Keiser, Saldaña, Nguyen, Hasegawa, Conway and Wilson, C.).

Brief History:

Committee Activity:

Labor & Workplace Standards: 2/24/20, 2/25/20 [DP].

Floor Activity:

Passed House: 3/4/20, 58-39.

Brief Summary of Engrossed Substitute Bill

- Provides that a municipality that operates or controls an airport with more than 20 million passenger boardings may enact a minimum labor standard under certain conditions.

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 4 members: Representatives Sells, Chair; Chapman, Vice Chair; Gregerson and Ormsby.

Minority Report: Do not pass. Signed by 3 members: Representatives Mosbrucker, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Hoff.

Staff: Lily Smith (786-7175).

Background:

Municipal Airports.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Municipalities may establish, operate, and regulate municipal airports and other air navigational facilities. Municipal airports are under the exclusive jurisdiction, subject to state and federal law, of the municipality that controls or operates the airport. A municipality may be a county, city, town, airport district, or port district.

Minimum Wages:

Employers covered under the Minimum Wage Act are required to pay employees age 18 or older at least the state minimum hourly wage. The state minimum wage is set in statute until January 1, 2021, at which point the Department of Labor and Industries must adjust the minimum wage by the rate of inflation. The current state minimum wage is \$13.50 per hour. Local jurisdictions are authorized to enact minimum wages and other standards more favorable to employees.

In 2013 Proposition 1 established a variety of requirements for hospitality and transportation businesses in the City of SeaTac, including a minimum wage standard of \$15 per hour, adjusted for inflation. In 2015 the Washington State Supreme Court held that Proposition 1 could be enforced at SeaTac Airport, which is owned and operated by the Port of Seattle, so long as it did not interfere with airport operations.

Summary of Bill:

A municipality that controls or operates an airport with more than 20 million annual commercial passenger boardings may enact a minimum labor standard for employees at the airport when all of the following conditions apply:

- the minimum labor standard meets, but does not exceed, those enacted by any other municipality in which the airport or other property is located;
- the airport is located within a city that has a local minimum labor standard that applies to certain employers at the airport;
- the labor standard only applies to employers expressly excluded from the existing local minimum wage standard due to their goods or service type; and
- the employers are both on the municipal property and within the city that has a local labor standard.

The requirement that charges for the use of airport property be reasonable and uniform does not include any labor standard enacted under the bill.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) There is a sense of urgency to address the issue of the welfare of airport workers not covered by the minimum wage standard in effect at SeaTac Airport. There were previous concerns with the scope of the bill, but productive conversations led to consensus language

that provides a narrowly tailored solution to ensure that workers are not left behind. There are workers that are scared every day that their earnings cannot provide a safe place to stay for their family. They are tired of feeling like they are one accident away from losing everything. These workers should be treated equally and earn what other workers do. It is impossible to make an honest living on the current wages. This bill will make a great difference and is important to hundreds of workers. The substance of the Senate bill represents what the committee already approved, with the addition of a few technical corrections.

(Opposed) The bill should be codified in a different RCW title, either in the Title 53, granting specific authorities for ports districts, or in Title 49, dealing with labor regulations.

Persons Testifying: (In support) Stefan Moritz and Ronnie Lalimo, Unite Here Local 8; and Sam Cho, Port of Seattle.

(Opposed) Kelly Fukai, Spokane International Airport.

Persons Signed In To Testify But Not Testifying: None.