
Labor & Workplace Standards Committee

SB 6088

Brief Description: Concerning minor league baseball players subject to the terms of a collective bargaining agreement regarding employment status.

Sponsors: Senators Conway, King, Lovick and Nguyen.

Brief Summary of Bill

- Specifies that "employee," as defined under minimum wage requirements and labor standards, does not include an individual who is contracted to play minor league baseball and who is compensated pursuant to the terms of a collective bargaining agreement that expressly provides for wages and working conditions.
- Allows collective bargaining agreements covering minor league baseball players to supersede rest and meal period rules of the Department of Labor and Industries.
- Excludes minor league baseball players covered by a collective bargaining agreement from employer record keeping requirements concerning tracking hours worked.

Hearing Date: 2/20/24

Staff: Carter Gale (786-7290) and Trudes Tango (786-7384).

Background:

Minimum Wage Requirements and Labor Standards.

Generally, Washington employers must pay employees at least the hourly minimum wage and

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overtime rates for those employed in excess of 40 hours in a workweek. Employers must also provide employees at least one hour of paid sick leave for every 40 hours worked. Generally, employees may negotiate with their employers to enter collective bargaining agreements (CBAs) and establish wages or other conditions of work in excess of the statutory minimum standards. Minimum wage requirements and labor standards (MWRLS) define various categories of individuals as not employees. These individuals are excluded from relevant minimum wage, overtime, and sick leave requirements. Statutes also conditionally exclude certain categories of employee from specific requirements.

Minimum wage requirements and labor standards require that all employers subject to any of its provisions make and maintain a record of each employee's name, address, occupation, rate of pay, amount paid each pay period, hours worked each day and each workweek, and such other information as prescribed by the director of the Department of Labor and Industries (L&I) for the enforcement of MWRLS and authorized rules. Such records must be open for inspection by L&I.

Industrial Welfare.

Industrial Welfare (IW) laws grant authority for L&I to prescribe rules concerning the standards, conditions, and hours of labor. These include rules on rest and meal breaks. Generally, L&I rules require that employees are allowed a rest period of not less than 10 minutes for each four hours of working time, provided that no employee shall be required to work more than three hours without a rest period. Rest periods are on the employer's time and must be scheduled as near to the midpoint of the work period as possible. L&I rules also provide that no employee shall be required to work for more than five consecutive hours without a meal period of at least 30 minutes. Meal periods must be on the employer's time when an employee is required to remain on duty or on site in the interest of the employer.

The IW rules shall not be construed to interfere with, impede, or in any way diminish the rights of employees to enter CBAs concerning wages or standards or conditions of employment. For public employees and employees in the construction trades, CBAs may supersede or vary from, in part or in total, rules regarding appropriate rest and meal breaks. Employers are also required to make and keep a record of the names of all employees who they employ. Such records must be open for inspection by L&I on request.

Summary of Bill:

Minimum Wage Requirements and Labor Standards.

Any individual who has entered into a contract to play baseball at the minor league level and who is compensated pursuant to the terms of a CBA that expressly provide for wages and working conditions is not an employee under MWRLS. Record keeping requirements for MWRLS do apply to such individuals except for records relating to the hours worked each day and each workweek by such individuals, and any other similar information prescribed by L&I rules as necessary or appropriately related to recording of hours worked for such individuals.

Industrial Welfare.

Collective bargaining agreements may supersede the application of IW laws regarding rest and meal breaks to individuals contracted to play baseball at the minor league level if the terms of the CBA covering such individuals expressly provide for wages and working conditions. Rules adopted under IW laws regarding records of hours worked also do not apply to such individuals.

Appropriation: None.

Fiscal Note: Available.

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