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**SECOND SUBSTITUTE HOUSE BILL 1128**

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**State of Washington**

**69th Legislature**

**2026 Regular Session**

**By** House Appropriations (originally sponsored by Representatives Fosse, Stonier, Berry, Bronoske, Davis, Taylor, Wylie, Nance, Pollet, Ormsby, Scott, Mena, Doglio, Alvarado, Berg, Peterson, Goodman, Reeves, Reed, Parshley, Stearns, Simmons, Cortes, Ramel, Ryu, Timmons, Hackney, Kloba, Callan, Farivar, Ortiz-Self, Paul, Morgan, Shavers, Macri, Obras, Rule, Fey, Lekanoff, Bergquist, Salahuddin, Bernbaum, and Hill)

READ FIRST TIME 02/09/26.

1 AN ACT Relating to establishing a child care workforce standards  
2 board; adding a new chapter to Title 49 RCW; and creating a new  
3 section.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds and declares the  
6 following:

7 (a) High quality child care and early learning enable parents to  
8 go to work, keeping the economy going at all levels and returning six  
9 dollars in value for every one dollar invested. High quality early  
10 learning services help prepare children for success in school and in  
11 life. A high quality child care and early learning system depends on  
12 a thriving, healthy, and competitively compensated workforce. Current  
13 conditions for child care workers have resulted in lack of access,  
14 unaffordable prices, and poorer outcomes for children and families;

15 (b) Low compensation and poor working conditions impair the  
16 health, efficiency, and well-being of persons employed to provide  
17 child care, constitute unfair competition against other employers and  
18 their employees, threaten the stability of the child care market,  
19 create economic instability for providers, and result in a provider  
20 workforce that must rely in public and private assistance to support  
21 their own families;

1 (c) The fissured nature of child care workplaces exacerbates  
2 these conditions and create barriers preventing workers from being  
3 able to address these problems on their own; and

4 (d) Employment under these conditions threatens the health and  
5 well-being of the people of Washington and injures the overall  
6 economy.

7 (2) Therefore, it is the declared policy of the state that such  
8 working conditions for child care workers be eliminated as rapidly as  
9 practicable through establishment of a workforce standards board  
10 comprised of employer and worker representatives and state agency  
11 representatives to recommend minimum compensation and other  
12 employment standards.

13 NEW SECTION. **Sec. 2.** The definitions in this section apply  
14 throughout this chapter unless the context clearly requires  
15 otherwise.

16 (1) "Board" means the Washington state child care workforce  
17 standards board established pursuant to this chapter.

18 (2) (a) "Child care employer" means any employer of child care  
19 workers.

20 (b) "Child care employer" does not include any private school  
21 approved under chapter 28A.195 RCW operating a preschool or otherwise  
22 providing child care or early learning services requiring a child  
23 care provider license or certification from the department of  
24 children, youth, and families.

25 (3) (a) "Child care worker" means any worker providing child care  
26 services, excluding administrative staff, at a child care provider  
27 licensed or certified by the department of children, youth, and  
28 families. "Child care worker" includes family child care providers as  
29 defined in RCW 41.56.030.

30 (b) "Child care worker" does not include any employee of a  
31 provider described under subsection (2) (b) of this section.

32 (4) "Department" means the department of labor and industries.

33 (5) "Director" means the director of the department of labor and  
34 industries or the director's designee.

35 (6) "Employer organization" means:

36 (a) An organization that is exempt from federal income taxation  
37 under section 510(c)(6) of the internal revenue code that represents  
38 child care employers; or

1 (b) An entity that employers, who together employ the largest  
2 number of child care workers in Washington, have selected as a  
3 representative.

4 NEW SECTION. **Sec. 3.** (1) The Washington state child care  
5 workforce standards board is created with the powers and duties  
6 established by law. The board is composed of members appointed by the  
7 governor as provided in this subsection:

8 (a) Three members who represent child care workers, subject to  
9 the following:

10 (i) One member must be appointed from a list of at least three  
11 names submitted by the largest organization representing family child  
12 care providers;

13 (ii) One member must be appointed from a list of at least three  
14 names submitted by the largest organization representing child care  
15 center workers; and

16 (iii) One member must represent workers in school-age programs.

17 (b) Three members who represent child care employers or employer  
18 organizations, with at least one representing child care family home  
19 providers and one representing a small business of 15 or fewer  
20 employees;

21 (c) One representative of a professional development or training  
22 program for child care workers;

23 (d) One representative of an organization representing parents;  
24 and

25 (e) The secretary of the department of children, youth, and  
26 families and the director of the department of labor and industries,  
27 or their designees.

28 (2) Board members appointed under subsection (1)(a) or (b) of  
29 this section shall serve four-year terms following the initial  
30 staggered lot determination in subsection (3) of this section and  
31 must not be appointed to more than two full consecutive four-year  
32 terms. The governor shall fill vacancies occurring prior to the  
33 expiration of a member's term by appointment for the unexpired term.  
34 A member serves until a successor is appointed.

35 (3) (a) The governor must make initial appointments to the board  
36 no later than September 1, 2026. The initial terms for board members  
37 appointed under subsection (1)(a) and (b) of this section must be  
38 determined by lot as follows:

1 (i) One member appointed under subsection (1)(a) and (b) of this  
2 section shall serve a two-year term;

3 (ii) One member appointed under subsection (1)(a) and (b) of this  
4 section shall serve a three-year term; and

5 (iii) One member appointed under subsection (1)(a) and (b) of  
6 this section shall serve a four-year term.

7 (b) The director must convene the first meeting of the board by  
8 October 1, 2026. The board must elect a chair at its first meeting.

9 (4) The board shall elect a member by majority vote to serve as  
10 its chairperson and shall determine the term to be served by the  
11 chairperson.

12 (5) Board members must be compensated in accordance with RCW  
13 43.03.220 and must be reimbursed for travel expenses as provided in  
14 RCW 43.03.050 and 43.03.060.

15 (6) The affirmative vote of six board members is required for the  
16 board to approve recommendations.

17 (7) To carry out its duties, the board shall hold public hearings  
18 that include public comment on, gather data on, and conduct  
19 investigations into, working conditions in the child care industry in  
20 accordance with section 4 of this act.

21 (8) The director may employ personnel to carry out duties of the  
22 board under this chapter.

23 (9) The director shall provide administrative staff support to  
24 the board.

25 (10) The board shall establish operating procedures that meet all  
26 state and federal antitrust requirements and may prohibit board  
27 member access to data to meet the requirements of this subsection.

28 (11) The board is subject to the requirements of chapters 34.05  
29 and 42.56 RCW.

30 NEW SECTION. **Sec. 4.** (1)(a) The board must meet quarterly and  
31 make recommendations to the director that will enhance and improve  
32 the employment standards of child care workers. The board must  
33 recommend statewide standards and may also recommend standards that  
34 apply to specific child care occupations or geographic regions.

35 (b) The board may not recommend standards regarding licensing of  
36 child care facilities. The board may not recommend standards that are  
37 less protective of or beneficial to child care workers as any other  
38 applicable statute or rule or any standard previously established by  
39 the board.

1 (2) (a) The board's initial investigations, public hearings, data  
2 gathering, and recommendations must prioritize child care worker  
3 staffing, recruitment, retention, and staffing ratios.

4 (b) Additionally, the board may investigate:

5 (i) The adequacy of wage rates and other compensation policies of  
6 child care employers to ensure the provision of quality services and  
7 sufficient levels of recruitment and retention of child care  
8 employees;

9 (ii) The sufficiency of levels of recruitment and retention of  
10 child care employees;

11 (iii) The adequacy of the role of child care employees in making  
12 decisions affecting their wages and working conditions;

13 (iv) The adequacy and enforcement of training requirements for  
14 child care employees;

15 (v) The impact of systemic racism and economic injustice on child  
16 care employees and the adequacy of efforts to alleviate such impact  
17 through the development of career paths through partnerships between  
18 labor and management and other methods; and

19 (vi) The adequacy of payment practices and policies of the state  
20 as such practices and policies relate to the reimbursement of child  
21 care employers for the provision of services under a child care  
22 program.

23 (3) The board may consider the following types of information  
24 when developing recommendations:

25 (a) Wage rate and benefit data collected by or submitted to the  
26 board for child care workers in the relevant geographic area and  
27 child care occupations;

28 (b) Statements showing wage rates and benefits paid to child care  
29 workers in the relevant geographic area and child care occupations;

30 (c) Signed collective bargaining agreements applicable to child  
31 care workers in the relevant geographic area and child care  
32 occupations;

33 (d) Testimony and information from current and former child care  
34 workers, organizations representing child care workers, child care  
35 employers, parents of children currently in child care, and child  
36 care organizations;

37 (e) Local minimum employment standards;

38 (f) Information submitted by or obtained from state and local  
39 government entities, including registries or data regarding employee  
40 training, recruitment, and retention;

1 (g) Information from a federally approved rate-setting tool for  
2 child care funding; and

3 (h) Any other information pertinent to establishing minimum child  
4 care employment standards.

5 (4) Based on the investigations and information gathered pursuant  
6 to this section, the board shall prepare a series of reports with  
7 findings and recommendations, and shall make those reports publicly  
8 available on the department's website.

9 NEW SECTION. **Sec. 5.** By October 1, 2026, the department and the  
10 department of children, youth, and families must jointly enter into a  
11 formal agreement that includes data sharing of information necessary  
12 to implement the provisions of this chapter.

13 NEW SECTION. **Sec. 6.** This act may be known and cited as the  
14 child care workforce standards board act.

15 NEW SECTION. **Sec. 7.** Sections 2 through 6 of this act  
16 constitute a new chapter in Title 49 RCW.

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