
SUBSTITUTE HOUSE BILL 2355

State of Washington

69th Legislature

2026 Regular Session

By House Labor & Workplace Standards (originally sponsored by Representatives Thomas, Stonier, Berry, Mena, Ramel, Reed, Obras, Parshley, Street, Taylor, Kloba, Scott, Ryu, Doglio, Gregerson, Ormsby, Berg, Reeves, Macri, Fosse, and Hill)

READ FIRST TIME 02/03/26.

1 AN ACT Relating to establishing labor protections for domestic
2 workers; amending RCW 49.60.230; reenacting and amending RCW
3 49.46.010; adding a new section to chapter 49.60 RCW; adding a new
4 chapter to Title 49 RCW; prescribing penalties; and providing an
5 effective date.

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

7 NEW SECTION. **Sec. 1.** The definitions in this section apply
8 throughout this chapter unless the context clearly requires
9 otherwise.

10 (1) "Casual labor" means work that is irregular, uncertain, and
11 incidental in nature and duration, and is different in nature from
12 the type of paid work in which the worker is customarily engaged in.

13 (2) "Department" means the department of labor and industries.

14 (3) "Director" means the director of the department.

15 (4) (a) "Domestic worker" includes any person who:

16 (i) Is an hourly employee, salaried employee, or independent
17 contractor;

18 (ii) Receives payment from a hiring entity for the work or
19 services described in (a)(iii) of this subsection for four or more
20 hours in any month; and

1 (iii) Works or provides services in one or more private
2 residences as a nanny, child care provider, home care worker,
3 personal care provider, housekeeper or cleaner, cook, gardener, or
4 household manager.

5 (b) "Domestic worker" does not include:

6 (i) A person performing casual labor in or about a private
7 residence, unless the work is performed in the course of the hiring
8 entity's trade, business, or profession;

9 (ii) A person performing babysitting on an irregular and
10 uncertain basis that is incidental in nature and duration;

11 (iii) A person performing pet sitting, dog walking, or house
12 sitting who is not also performing the work described in (a)(iii) of
13 this subsection;

14 (iv) An individual provider, as defined in RCW 74.39A.240, or any
15 provider employed by a home care agency as defined in RCW 70.127.010
16 if the home care agency receives funds through chapter 74.39A RCW; or

17 (v) A person in a family relationship with, or who is a family
18 member of, the hiring entity.

19 (5) "Family member" and "family relationship" must be liberally
20 construed to include, but not be limited to, a parent, child,
21 sibling, aunt, uncle, cousin, grandparent, grandchild, grandniece, or
22 grandnephew, or such relatives when related by marriage.

23 (6)(a) "Hiring entity" means any person, group of persons,
24 partnership, association, corporation, business trust, employer as
25 defined in RCW 49.46.010, or any combination thereof, that provides
26 payment to a domestic worker for the domestic worker's work or
27 services.

28 (b) "Hiring entity" does not include state agencies or home care
29 agencies as defined in RCW 70.127.010 if the home care agency
30 receives funds through chapter 74.39A RCW.

31 NEW SECTION. **Sec. 2.** (1) A hiring entity shall pay the domestic
32 worker compensation at a rate that is equal to or greater than the
33 minimum hourly rate established by the department under RCW
34 49.46.020.

35 (2) A hiring entity shall pay the domestic worker overtime
36 compensation at a rate of not less than one and one-half times the
37 worker's regular rate of pay for hours worked in excess of 40 hours
38 in a workweek.

39 (3)(a) A hiring entity may not:

1 (i) Collect or receive from a domestic worker a rebate of any
2 part of the compensation paid by the hiring entity to the domestic
3 worker; or

4 (ii) Willfully, with intent to deprive the domestic worker of any
5 part of the domestic worker's compensation, pay a domestic worker a
6 lower rate of compensation than what the hiring entity is obligated
7 to pay the domestic worker by agreement or contract.

8 (b) This subsection does not make it unlawful for a hiring entity
9 to withhold or divert any portion of a domestic worker's compensation
10 when required or empowered to do so by state or federal law or when a
11 deduction has been expressly authorized in writing in advance by the
12 domestic worker for a lawful purpose accruing to the benefit of such
13 domestic worker. Any withholdings must be documented in writing by
14 the hiring entity.

15 (4) This section must be enforced as a wage payment requirement
16 under chapter 49.48 RCW.

17 (5) This section does not apply where a domestic worker
18 voluntarily provides additional home care in excess of a written
19 agreement between only the domestic worker and a family member to
20 whom the domestic worker is providing services.

21 NEW SECTION. **Sec. 3.** (1) A hiring entity shall specify the
22 terms for a domestic worker's position or services and the domestic
23 worker's rate of pay in a written agreement. If applicable for the
24 position or services or if otherwise provided by the hiring entity,
25 the written agreement must also include work schedules, rate of pay
26 for additional duties, payroll deductions, transportation costs and
27 benefits, severance benefits, health insurance coverage and costs,
28 any applicable fees and costs for the domestic worker associated with
29 expectations for the work, and any sick, vacation, personal, and
30 holiday leave benefits.

31 (2) The written agreement must be in a language or languages
32 understood by the worker and hiring entity. The hiring entity shall
33 provide the domestic worker with a copy of the written agreement and
34 a disclosure of rights specified in section 4 of this act.

35 (3) (a) Except as provided in (b) of this subsection, the hiring
36 entity shall provide a minimum two-week written notification period
37 before termination of the domestic worker's position or services. For
38 a live-in domestic worker, the hiring entity shall provide a minimum

1 four-week written notification period before termination of the
2 domestic worker's position or services.

3 (b) The notification requirements in (a) of this subsection do
4 not apply if:

5 (i) The applicable work performed by the domestic worker was on a
6 casual labor basis;

7 (ii) The domestic worker was hired on a one-time or intermittent
8 basis without an expectation of ongoing work;

9 (iii) The termination occurs during an agreed-upon probationary
10 period;

11 (iv) The termination is based on a good faith belief that the
12 domestic worker engaged in misconduct as defined in RCW 50.04.294;

13 (v) The termination is caused by circumstances outside of the
14 hiring entity's control, including death;

15 (vi) The hiring entity and domestic worker agree that the
16 applicable care needs have significantly changed and cannot be
17 addressed by the current position or services; or

18 (vii) The domestic worker becomes unable to fulfill the
19 requirements of the position or services as provided in the written
20 agreement.

21 (c) If a hiring entity does not provide the notification required
22 under this subsection (3), the hiring entity shall provide the
23 domestic worker with severance pay in the amount of the worker's
24 standard rate of pay multiplied by the regular number of hours worked
25 over the period of time during which the required notification was
26 not provided. For purposes of this subsection, "standard rate of pay"
27 means the agreed-upon rate of pay between the hiring entity and
28 domestic worker, as reflected in the written agreement.

29 (4) A hiring entity shall create and maintain records documenting
30 hours worked, rate of pay, and, if applicable, the leave time earned
31 and used. If a complaint is filed with the department, the hiring
32 entity shall make the records and the written agreement accessible to
33 the department.

34 (5) The department or the court shall maintain the
35 confidentiality of all records it obtains in connection with
36 enforcement activities to the full extent permitted by law.

37 NEW SECTION. **Sec. 4.** (1) The department shall develop and make
38 available a model disclosure statement describing a hiring entity's
39 obligations and a domestic worker's rights under this chapter in at

1 least eight of the most commonly spoken languages in the state. The
2 model disclosure must also include a telephone number and an address
3 of the department to enable domestic workers to seek information
4 regarding and enforcement of their rights.

5 (2) For purposes of implementing section 3 of this act, the
6 department shall develop and make available a model written
7 agreement, which describes a hiring entity's obligations and a
8 domestic worker's rights under this act in at least eight of the most
9 commonly spoken languages in the state.

10 NEW SECTION. **Sec. 5.** (1) A hiring entity may not:

11 (a) Subject a domestic worker to conduct or allow a domestic
12 worker to be subjected to conduct that creates an intimidating,
13 hostile, or offensive work environment with the purpose or effect of
14 unreasonably interfering with the domestic worker's performance;

15 (b) Require or request that a domestic worker allow the hiring
16 entity to take or maintain possession, or allow another person to
17 take or maintain possession, of any of a domestic worker's personal
18 effects including, but not limited to, any legal documents, forms of
19 identification, passports, or immigration documents;

20 (c) Monitor or record, or allow another person to monitor or
21 record, through any means, the activities of a domestic worker using
22 a bathroom or similar facility, of a domestic worker in the domestic
23 worker's private living quarters, or while the domestic worker is
24 engaged in personal activities associated with dressing or changing
25 clothes;

26 (d) Monitor, record, or interfere, or allow another person to
27 monitor, record, or interfere, with the private communications of a
28 domestic worker;

29 (e) Request, direct, or require, as a condition of work, that a
30 domestic worker waive the worker's rights under federal, state, or
31 local law; or

32 (f) Request, direct, or require, as a condition of work, that the
33 domestic worker agree to a mandatory predispute arbitration clause
34 for claims of their legal rights, a nondisclosure or nondisparagement
35 agreement that inhibits the domestic worker from pursuing claims or
36 complaints under this chapter, or a noncompete agreement preventing a
37 domestic worker from working for other hiring entities or in other
38 residences following the termination or conclusion of the domestic
39 worker's work for the hiring entity.

1 (2) The department may adopt rules to establish additional
2 remedies for violations of this section. The department may apply
3 sections 6, 7, 8, and 9 of this act to enforce any remedies
4 established under this section.

5 NEW SECTION. **Sec. 6.** (1) A hiring entity may not interfere
6 with, restrain, or deny the exercise of any right under this chapter
7 by using a domestic worker's exercise of said right as a negative
8 factor in any employment action or other similar action.

9 (2) (a) A hiring entity may not take any adverse action against a
10 domestic worker for exercising or attempting to exercise a right
11 under this chapter including, but not limited to, any of the
12 following in connection with this chapter: Instituting or filing a
13 complaint or action; participating in a proceeding; organizing or
14 communicating with other domestic workers on their rights; or
15 disclosing the worker's own immigration status.

16 (b) For purposes of this subsection, "adverse action" includes:

17 (i) Subjecting the domestic worker to discipline;

18 (ii) Terminating, suspending, or demoting the domestic worker, or
19 denying the domestic worker a promotion;

20 (iii) Reducing the number of work hours for which the domestic
21 worker is scheduled;

22 (iv) Altering the domestic worker's preexisting work schedule;

23 (v) Reducing the domestic worker's rate of pay;

24 (vi) Threatening to take or taking action based upon the
25 immigration status of a domestic worker or a domestic worker's family
26 member; and

27 (vii) Communicating, directly or indirectly, to the domestic
28 worker the hiring entity's willingness or intent to report the
29 suspected citizenship or immigration status of the domestic worker or
30 the domestic worker's family member to a federal, state, or local
31 agency or other applicable entity.

32 (c) There is a rebuttable presumption that the hiring entity
33 violated this subsection (2) if the hiring entity takes an adverse
34 action against a domestic worker within 90 calendar days of the
35 domestic worker's exercise of rights protected under this chapter.
36 However, in the case of seasonal work that ended before the close of
37 the 90 calendar day period, the presumption also applies if the
38 hiring entity fails to rehire a former domestic worker at the next
39 opportunity for work in the same position. The hiring entity may

1 rebut the presumption with clear and convincing evidence that the
2 adverse action was taken for a permissible purpose.

3 (3) (a) The department may conduct an investigation if a domestic
4 worker files a complaint with the department alleging a violation of
5 this section. The department may not investigate any alleged
6 violation occurring more than 180 days before the date that the
7 domestic worker filed the complaint, unless the department determines
8 an extension is warranted based on recognized equitable principles or
9 the presence of extenuating circumstances, which may include, but are
10 not limited to, the presence of evidence suggesting that the hiring
11 entity concealed misconduct or misled the domestic worker.

12 (b) If the department discovers evidence of other violations not
13 included in the complaint while investigating the complaint, the
14 department may investigate and take appropriate enforcement action
15 without requiring the domestic worker to file a new or separate
16 complaint.

17 (c) If a domestic worker files a timely complaint with the
18 department, the department may investigate the complaint and issue
19 either a citation and notice of assessment or a determination of
20 compliance within 90 days after the date on which the department
21 received the complaint, unless the complaint is otherwise resolved.
22 The department may extend the period under this subsection by
23 providing advance written notice to the domestic worker and the
24 hiring entity setting forth good cause for an extension of the period
25 and specifying the duration of the extension.

26 (d) The department may consider a complaint to be otherwise
27 resolved when the domestic worker and the hiring entity reach a
28 mutual agreement to remedy the adverse action, or the domestic worker
29 voluntarily and on the domestic worker's own initiative withdraws the
30 complaint.

31 (e) If the department finds that the domestic worker's allegation
32 cannot be substantiated, the department may issue a determination of
33 compliance to the domestic worker and the hiring entity detailing
34 such finding.

35 (f) If the department's investigation finds that the hiring
36 entity violated this section and the complaint is not otherwise
37 resolved, the department may notify the hiring entity that the
38 department intends to issue a citation and notice of assessment, and
39 may provide up to 30 days after the date of such notification for the
40 hiring entity to take corrective action to remedy the adverse action.

1 If the complaint is not otherwise resolved, then the department may
2 issue a citation and notice of assessment.

3 (g) When issuing a citation and notice of assessment under this
4 section, the department may order the hiring entity to:

5 (i) Pay the domestic worker earnings that the domestic worker did
6 not receive due to the hiring entity's adverse action, including
7 interest of one percent per month calculated from the first date
8 earnings were owed to the domestic worker;

9 (ii) Restore the domestic worker to the position held by the
10 domestic worker when the adverse action occurred, or restore the
11 domestic worker to an equivalent position with equivalent work hours,
12 work schedule, benefits, pay, and other terms and conditions; and/or

13 (iii) Pay the department a civil penalty, which must be the
14 greater of \$1,000 or an amount equal to 10 percent of the total
15 amount of unpaid earnings attributable to the adverse action,
16 provided that the penalty may not exceed \$20,000 for the first
17 violation or \$40,000 for a repeat violation.

18 (h) If the department issues a citation and notice of assessment
19 or determination of compliance, the department shall send the
20 citation and notice of assessment or determination of compliance to
21 both the hiring entity and the domestic worker by service of process
22 or using a method by which the mailing can be tracked or the delivery
23 can be confirmed to their last known addresses.

24 (4) (a) A hiring entity or domestic worker aggrieved by a citation
25 and notice of assessment or a determination of compliance under this
26 section may submit a request for reconsideration to the department
27 setting forth the grounds for such reconsideration, or if applicable,
28 submit an appeal to the director under section 8 of this act.

29 (b) A request for reconsideration must be made within 30 days of
30 receipt of the citation and notice of assessment or the determination
31 of compliance. If the department receives a timely request for
32 reconsideration, the department shall either accept the request or
33 treat the request as a notice of appeal under section 8 of this act.

34 (c) If a request for reconsideration is accepted, the department
35 shall send notice of the request for reconsideration to the hiring
36 entity and the domestic worker. The department shall determine if
37 there are any valid reasons to reverse or modify the department's
38 original citation and notice of assessment or determination of
39 compliance within 30 days of receipt of such request. The department
40 may extend this period by providing advance written notice to the

1 hiring entity and domestic worker setting forth good cause for an
2 extension of the period and specifying the duration of the extension.

3 (d) After reviewing the request for reconsideration, the
4 department shall:

5 (i) Notify the hiring entity and domestic worker that the
6 citation and notice of assessment or determination of compliance is
7 affirmed; or

8 (ii) Notify the hiring entity and domestic worker that the
9 citation and notice of assessment or determination of compliance has
10 been reversed or modified.

11 (e) A request for reconsideration submitted to the department
12 stays the effectiveness of the citation and notice of assessment or
13 determination of compliance pending the decision by the department.

14 NEW SECTION.

Sec. 7.

15 (1)(a) The department may conduct an
16 investigation if a domestic worker files a complaint with the
17 department alleging a violation of this chapter, excluding violations
18 for section 2 of this act which is enforced under chapter 49.48 RCW
19 and section 6 of this act which is enforced under said section. If
20 the department discovers evidence of other violations not included in
21 the complaint while investigating the complaint, the department may
22 investigate and take appropriate enforcement action without requiring
23 the domestic worker to file a new or separate complaint.

24 (b) The department may not investigate any alleged violation
25 occurring more than three years before the date that the domestic
26 worker filed the complaint.

27 (c) If a domestic worker files a timely complaint with the
28 department, the department may investigate the complaint and issue
29 either a citation assessing a civil penalty or a closure letter
30 within 90 days after the date on which the department received the
31 complaint. The department may extend the period by providing advance
32 written notice to the domestic worker and the hiring entity setting
33 forth good cause for an extension of the period and specifying the
34 duration of the extension.

35 (2) If the department finds that the domestic worker's allegation
36 cannot be substantiated or that the complaint is otherwise resolved,
37 the department shall issue a closure letter to the domestic worker
38 and the hiring entity detailing such finding. The department may
39 consider a complaint to be resolved if the domestic worker and the
hiring entity reach a mutual agreement to remedy an alleged

1 violation, or if the domestic worker voluntarily and on the domestic
2 worker's own initiative withdraws the complaint.

3 (3) (a) If the department finds a violation has occurred, the
4 department may order the hiring entity to pay the department a civil
5 penalty as follows:

6 (i) \$1,000 for a willful violation of this chapter;

7 (ii) No less than \$2,000 and no greater than \$20,000 for each
8 repeat willful violation.

9 (b) The department may not issue a citation assessing a civil
10 penalty under this subsection if the hiring entity reasonably relied
11 on:

12 (i) A written order, ruling, approval, opinion, advice,
13 determination, or interpretation of the director; or

14 (ii) An interpretive or administrative policy issued by the
15 department and filed with the office of the code reviser. In
16 accordance with the department's retention schedule obligations under
17 chapter 40.14 RCW, the department shall maintain a complete and
18 accurate record of all written orders, rulings, approvals, opinions,
19 advice, determinations, and interpretations for purposes of
20 determining whether a hiring entity is immune from civil penalties
21 under this subsection.

22 (4) The department may, at any time, waive or reduce a civil
23 penalty assessed under this section if the department determines that
24 the hiring entity has taken corrective action.

25 (5) The department shall send the citation and notice of
26 assessment or the closure letter to both the hiring entity and the
27 domestic worker by service of process or using a method by which the
28 mailing can be tracked or the delivery can be confirmed to their last
29 known addresses.

30 (6) For purposes of this section, the following definitions
31 apply:

32 (a) "Repeat willful violator" means any hiring entity that has
33 been the subject of a final and binding citation for a willful
34 violation of one or more rights under this chapter, and all
35 applicable rules, within three years of the date of issuance of the
36 most recent citation for a willful violation of one or more such
37 rights.

38 (b) "Willful" means a knowing and intentional action that is
39 neither accidental nor the result of a bona fide dispute.

1 NEW SECTION. **Sec. 8.** (1) Any hiring entity or other person
2 aggrieved by a citation assessing a civil penalty, a determination of
3 compliance, or other order issued by the department under this
4 chapter may appeal the citation, determination, or order to the
5 director by filing a notice of appeal with the director within 30
6 days of the department's issuance of the assessment. A citation,
7 determination, or order not appealed within 30 days is final and
8 binding, and not subject to further appeal.

9 (2) A notice of appeal filed with the director under this section
10 stays the effectiveness of the citation, determination, or order
11 pending final review of the appeal by the director as provided in
12 chapter 34.05 RCW.

13 (3) Upon receipt of a notice of appeal, the director shall assign
14 the hearing to an administrative law judge of the office of
15 administrative hearings to conduct the hearing and issue an initial
16 order. The hearing and review procedures must be conducted in
17 accordance with chapter 34.05 RCW, and the standard of review by the
18 administrative law judge of an appealed citation or order must be de
19 novo. Any party who seeks to challenge an initial order shall file a
20 petition for administrative review with the director within 30 days
21 after service of the initial order. The director shall conduct the
22 administrative review in accordance with chapter 34.05 RCW.

23 (4) The director shall issue all final orders after appeal of the
24 initial order. The final order of the director is subject to judicial
25 review in accordance with chapter 34.05 RCW.

26 (5) A hiring entity that fails to allow adequate inspection of
27 records in an investigation by the department within a reasonable
28 time period may not use such records in any appeal under this section
29 to challenge the correctness of any determination by the department
30 of penalties assessed.

31 NEW SECTION. **Sec. 9.** (1) Collections of unpaid citations and
32 penalties administered under this chapter must be handled pursuant to
33 the procedures in RCW 49.48.086.

34 (2) The department shall deposit civil penalties paid under this
35 chapter into the supplemental pension fund established in RCW
36 51.44.033.

37 NEW SECTION. **Sec. 10.** A domestic worker injured by a violation
38 of this chapter may bring a civil action in a court of competent

1 jurisdiction to recover the actual damages sustained by the worker,
2 plus reasonable attorneys' fees and costs.

3 NEW SECTION. **Sec. 11.** This chapter establishes minimum
4 standards and rights of domestic workers in this state. Any standards
5 and rights established by any other applicable federal, state, or
6 local law or rule that are more favorable to domestic workers than
7 the minimum standards and rights established by this chapter are not
8 affected by this chapter and remain in full force and effect and may
9 be enforced as provided by law. The remedies provided by this chapter
10 are not exclusive and are concurrent with any other remedy provided
11 by law.

12 NEW SECTION. **Sec. 12.** The department may adopt rules necessary
13 to implement and enforce this chapter.

14 **Sec. 13.** RCW 49.46.010 and 2025 c 236 s 1 are each reenacted and
15 amended to read as follows:

16 As used in this chapter:

17 (1) "Coercion" means a threat to compel or induce a person to
18 engage in conduct which the person has a legal right to abstain from,
19 or to abstain from conduct in which the person has a legal right to
20 engage in;

21 (2) "Director" means the director of labor and industries;

22 (3) "Employ" includes to permit to work;

23 (4) "Employee" includes any individual employed by an employer
24 but shall not include:

25 (a) Any individual (i) employed as a hand harvest laborer and
26 paid on a piece rate basis in an operation which has been, and is
27 generally and customarily recognized as having been, paid on a piece
28 rate basis in the region of employment; (ii) who commutes daily from
29 his or her permanent residence to the farm on which he or she is
30 employed; and (iii) who has been employed in agriculture less than
31 thirteen weeks during the preceding calendar year;

32 (b) Any individual employed in casual labor in or about a private
33 home, unless performed in the course of the employer's trade,
34 business, or profession;

35 (c) Any individual employed in a bona fide executive,
36 administrative, or professional capacity or in the capacity of
37 outside salesperson as those terms are defined and delimited by rules

1 of the director. However, those terms shall be defined and delimited
2 by the human resources director pursuant to chapter 41.06 RCW for
3 employees employed under the director of personnel's jurisdiction;

4 (d) Any individual engaged in the activities of an educational,
5 charitable, religious, state or local governmental body or agency, or
6 nonprofit organization where the employer-employee relationship does
7 not in fact exist or where the services are rendered to such
8 organizations gratuitously. If the individual receives reimbursement
9 in lieu of compensation for normally incurred out-of-pocket expenses
10 or receives a nominal amount of compensation per unit of voluntary
11 service rendered, an employer-employee relationship is deemed not to
12 exist for the purpose of this section or for purposes of membership
13 or qualification in any state, local government, or publicly
14 supported retirement system other than that provided under chapter
15 41.24 RCW;

16 (e) Any individual employed full time by any state or local
17 governmental body or agency who provides voluntary services but only
18 with regard to the provision of the voluntary services. The voluntary
19 services and any compensation therefor shall not affect or add to
20 qualification, entitlement, or benefit rights under any state, local
21 government, or publicly supported retirement system other than that
22 provided under chapter 41.24 RCW;

23 (f) Any newspaper vendor, carrier, or delivery person selling or
24 distributing newspapers on the street, to offices, to businesses, or
25 from house to house and any freelance news correspondent or
26 "stringer" who, using his or her own equipment, chooses to submit
27 material for publication for free or a fee when such material is
28 published;

29 (g) Any carrier subject to regulation by Part 1 of the Interstate
30 Commerce Act;

31 (h) Any individual engaged in forest protection and fire
32 prevention activities;

33 (i) Any individual employed by any charitable institution charged
34 with child care responsibilities engaged primarily in the development
35 of character or citizenship or promoting health or physical fitness
36 or providing or sponsoring recreational opportunities or facilities
37 for young people or members of the armed forces of the United States;

38 (j) Any individual whose duties require that he or she reside or
39 sleep at the place of his or her employment or who otherwise spends a
40 substantial portion of his or her work time subject to call((7)) and

1 not engaged in the performance of active duties, except this
2 exemption does not apply to any individual employed by an employer as
3 a domestic worker as defined under section 1 of this act;

4 (k) Any resident, inmate, or patient of a state, county, or
5 municipal correctional, detention, treatment or rehabilitative
6 institution;

7 (l) Any individual who holds a public elective or appointive
8 office of the state, any county, city, town, municipal corporation or
9 quasi municipal corporation, political subdivision, or any
10 instrumentality thereof, or any employee of the state legislature;

11 (m) All vessel operating crews of the Washington state ferries
12 operated by the department of transportation;

13 (n) Any individual employed as a seaman on a vessel other than an
14 American vessel;

15 (o) Any farm intern providing his or her services to a small farm
16 which has a special certificate issued under RCW 49.12.471;

17 (p) An individual who is at least 16 years old but under twenty-
18 one years old, in his or her capacity as a player for a junior ice
19 hockey team that is a member of a regional, national, or
20 international league and that contracts with an arena owned,
21 operated, or managed by a public facilities district created under
22 chapter 36.100 RCW; or

23 (q) Any individual who has entered into a contract to play
24 baseball at the minor league level and who is compensated pursuant to
25 the terms of a collective bargaining agreement that expressly
26 provides for wages and working conditions;

27 (5) "Employer" includes any individual, partnership, association,
28 corporation, business trust, or any person or group of persons acting
29 directly or indirectly in the interest of an employer in relation to
30 an employee;

31 (6) "Occupation" means any occupation, service, trade, business,
32 industry, or branch or group of industries or employment or class of
33 employment in which employees are gainfully employed;

34 (7) "Retail or service establishment" means an establishment
35 seventy-five percent of whose annual dollar volume of sales of goods
36 or services, or both, is not for resale and is recognized as retail
37 sales or services in the particular industry;

38 (8) "Threat" means any implicit or explicit communication
39 specifically pertaining to an employee's or an employee's family
40 member's immigration status that is made by the employer to deter an

1 employee from engaging in protected activities or exercising a right
2 under this chapter, chapter 49.12, 49.30, or 49.48 RCW, or any rules
3 issued by the department of labor and industries pursuant to those
4 chapters;

5 (9) "Wage" means compensation due to an employee by reason of
6 employment, payable in legal tender of the United States or checks on
7 banks convertible into cash on demand at full face value, subject to
8 such deductions, charges, or allowances as may be permitted by rules
9 of the director.

10 **Sec. 14.** RCW 49.60.230 and 2020 c 145 s 1 are each amended to
11 read as follows:

12 (1) Who may file a complaint:

13 (a) Any person claiming to be aggrieved by an alleged unfair
14 practice may, personally or by his or her attorney, make, sign, and
15 file with the commission a complaint in writing under oath or by
16 declaration. The complaint shall state the name of the person alleged
17 to have committed the unfair practice and the particulars thereof,
18 and contain such other information as may be required by the
19 commission.

20 (b) Whenever it has reason to believe that any person has been
21 engaged or is engaging in an unfair practice, the commission may
22 issue a complaint.

23 (c) Any employer or principal whose employees, or agents, or any
24 of them, refuse or threaten to refuse to comply with the provisions
25 of this chapter may file with the commission a written complaint
26 under oath or by declaration asking for assistance by conciliation or
27 other remedial action.

28 (2) Any complaint filed pursuant to this section must be filed
29 within six months after the alleged act of discrimination, except
30 that complaints alleging an unfair practice related to:

31 (a) A real estate transaction pursuant to RCW 49.60.222 through
32 49.60.225 must be filed within one year after the alleged unfair
33 practice in a real estate transaction has occurred or terminated;

34 (b) Pregnancy discrimination pursuant to RCW 49.60.180 must be
35 filed within one year after the alleged unfair practice; and

36 (c) A complaint alleging whistleblower retaliation must be filed
37 within two years.

38 (3) The complaint process under this section is not available for
39 unfair practices under section 15 of this act.

1 NEW SECTION. **Sec. 15.** A new section is added to chapter 49.60
2 RCW to read as follows:

3 (1) This section applies only where a domestic worker is not
4 afforded protections from the actions of a hiring entity under RCW
5 49.60.180.

6 (2)(a) It is an unfair practice for any hiring entity to
7 discriminate against a domestic worker in compensation because of the
8 domestic worker's age, sex, marital status, sexual orientation, race,
9 creed, color, national origin, citizenship or immigration status,
10 honorably discharged veteran or military status, or the presence of
11 any sensory, mental, or physical disability or the use of a trained
12 dog guide or service animal by a person with a disability.

13 (b) It is an unfair practice for any hiring entity to discharge a
14 domestic worker from employment because of the domestic worker's age,
15 sex, marital status, sexual orientation, race, creed, color, national
16 origin, citizenship or immigration status, honorably discharged
17 veteran or military status, or the presence of any sensory, mental,
18 or physical disability or the use of a trained dog guide or service
19 animal by a person with a disability.

20 (3) The complaint process under RCW 49.60.230 through 49.60.280
21 is not available for unfair practices under this section. A domestic
22 worker injured by a violation of this section may file a civil action
23 under RCW 49.60.030(2).

24 (4) For purposes of this section:

25 (a) "Domestic worker" has the same meaning as defined in section
26 1 of this act, as limited by other applicable definitions in section
27 1 of this act, including but not limited to "casual labor" and
28 "family member." "Domestic worker" does not include an employee, as
29 defined in this chapter, who is otherwise afforded protections by RCW
30 49.60.180.

31 (b) "Hiring entity" has the same meaning as defined in section 1
32 of this act.

33 NEW SECTION. **Sec. 16.** Sections 1 through 12 of this act
34 constitute a new chapter in Title 49 RCW.

35 NEW SECTION. **Sec. 17.** This act takes effect July 1, 2027.

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