

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 2355**

69th Legislature  
2026 Regular Session

Passed by the House February 12, 2026  
Yeas 57 Nays 39

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**Speaker of the House of  
Representatives**

Passed by the Senate February 26,  
2026  
Yeas 28 Nays 20

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 2355** as passed by the House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 2355**

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Passed Legislature - 2026 Regular Session

**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.** (1)(a) The department may conduct an

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

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

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

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