

WSR 21-02-033  
INTERPRETIVE OR POLICY STATEMENT  
DEPARTMENT OF  
LABOR AND INDUSTRIES

[Filed December 29, 2020, 8:29 a.m.]

**Notice of Interpretive or Policy Statement**

Under RCW 34.05.230, enclosed are statements related to one new and two amended policies, issued by the department of labor and industries (L&I) fraud prevention and labor standards division.

If you have any questions or need additional information, please contact Tracy West, rules coordinator, at 360-902-6954.

Title: Administrative Policy ES.A.1 - *Minimum Wage Act Applicability*.

Date Issued: December 29, 2020.

Description: The updates in this policy provide guidance on changes made to the Minimum Wage Act (MWA) due to Initiative 1433, L&I enforcement authority, and expanded examples and clarification about exemptions from the MWA. L&I has also incorporated changes in these policies in order to make them more accessible by using plain language and to provide additional clarity.

Contact: Joshua Grice, 7273 Linderson Way S.W., Tumwater, WA 98501-4510, 360-902-5310, Joshua.Grice@Lni.wa.gov.

Title: Administrative Policy ES.B.2 - *Paid Sick Leave - Normal Hourly Compensation*.

Date Issued: December 29, 2020.

Description: This is a new policy created to provide guidance on how to calculate normal hourly compensation under WAC 296-128-600(10) for the purposes of compensating employees for the use of paid sick leave under RCW 49.46.020.

Contact: Joshua Grice, 7273 Linderson Way S.W., Tumwater, WA 98501-4510, 360-902-5310, Joshua.Grice@Lni.wa.gov.

Title: Administrative Policy ES.C.11 - *Student Learner Exemption for Worksite Learning and Apprenticeships in Certain Hazardous Work*.

Date Issued: December 29, 2020.

Description: The updates in this policy provide updated guidance on how an employer participating in an approved work-based learning program, through the office of the superintendent of public instruction's career technical education program or an approved registered apprenticeship, may seek approval from L&I to allow a paid student-learner to perform certain hazardous work on a limited basis. L&I has also incorporated changes in this policy in order to make it more accessible by using plain language and to provide additional clarity.

Contact: Joshua Grice, 7273 Linderson Way S.W., Tumwater, WA 98501-4510, 360-902-5310, Joshua.Grice@Lni.wa.gov.