

WASHINGTON

Employment Law Workbook Addendum (Update on legislation enacted from Jan. 1–Dec. 31, 2013)

Topics

I. Discrimination

Honorably discharged U.S. veterans and their widows or widowers now may be given preference for employment (H. 1432, RCW § 73.16, effective July 22, 2011).

All references to spouses or family must be interpreted as applying equally to state registered domestic partnerships as to marital relationships and married persons (H. 1649, RCW §§ 26.60.090, 1.12.080, effective July 22, 2011).

No new laws or regulations enacted in 2012 or 2013.

II. Pre-Employment Inquiry Guidelines

Background check requirements for certain long-term care workers have been delayed until January 2014 (H.1548, RCW § 74.39A.050, effective June 15, 2011).

No new laws or regulations enacted in 2012.

Social Networking Accounts and Profiles: new law protects employees and prospective employee privacy in social networking. Under the law, an employer may not request, require, or otherwise coerce an employee or applicant to disclose login information for, or access in the employer's presence, his or her social networking account; an employer may not compel employee or applicant to add the employer to his/her contacts, may not require third-party access to view the account, and may not take adverse action against an employee or applicant based on his/her refusal to provide employer access to his/her social networking accounts. The new law also creates a cause of action in civil court for violation. (Ch. 330, effective July 28, 2013).

III. Family and Medical Leave

Under the Paid Sick Leave and Paid Safe Leave Ordinance, employers in Seattle must offer their employees paid sick leave for personal or family health, public health, or domestic violence. Amount of leave determined by the size of the business (effective Sept. 1, 2012).

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Paid Family Care Act for Washington employers who provide a paid leave benefit delayed until Oct. 1, 2015. The Act had previously been delayed only until Oct. 1, 2012 (effective Aug. 24, 2011).

No new laws or regulations enacted in 2012 or 2013.

IV. Wage and Hour Laws

The standard minimum wage increased from \$9.04 to \$9.19 per hour (effective Jan. 1, 2013).

The Seattle Paid Sick Time and Paid Safe Time Ordinance went into effect on September 1, 2012. The ordinance requires employers with more than 4 full-time equivalent employees to provide “paid sick time” and “paid safe time” to employees working in Seattle. Additional information is available on the City of Seattle’s website.

No new laws or regulations enacted in 2013.

V. Drug Testing

Washington’s Medical Use of Marijuana Act does not require accommodation of medical marijuana use to employees. The Act provides only a criminal law defense, and does not prohibit an employer from discharging employee for marijuana use even if used for medical reasons (*Roe v. Teletch Customer Care Management*, June 9, 2011).

No new laws or regulations enacted in 2012 or 2013.

VI. Noncompete and Other Employment Agreements

No new laws or regulations enacted in 2012 or 2013.

VII. Workplace Safety

No new laws or regulations enacted in 2012 or 2013.

VIII. Workers’ Compensation

Workers’ Compensation notices to employers have been modified and are required for all employers (effective March 2011).

No new laws or regulations enacted in 2012.

The Workers’ Compensation laws were amended to provide for vocational rehabilitation where both necessary and likely to make the worker employable at gainful employment. (Ch. 331, effective May 21, 2013).

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Miscellaneous

Food establishments are now required to allow persons with disabilities to bring their trained dog guides or service animals onto the business premises (H. 1728, RCW § 49.60.215, effective July 22, 2011).

Work Permits for Employment of Minors: A person seeking a work permit for the employment of minors under RCW 49.12.121 is not required to complete an entirely new master application if there are no changes to any other information submitted on the most recent master application. (Ch. 156, effective July 28, 2013).

Public Employee Whistleblower Protection: an act was passed to protect public employees who act ethically and legally. The act provides whistleblower protections to public employees who file an ethics complaint against an elected official or state employee. (Ch. 190, effective July 28, 2013).