

Workplace Rights Investigations Report

Fiscal Year (FY) 2024 Annual Report to the
Governor

December 2024

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Executive Summary

Introduction

As required by RCW 49.12.180, the Department of Labor & Industries (L&I) is providing information about investigations and proceedings related to worker wages, leave, youth employment, and other workplace rights. It includes actions taken in response to multiple new laws passed in the last several years that expanded responsibilities, procedures, and enforcement mandates.

L&I's Employment Standards Program meets growing demands while maintaining its responsibility of enforcing existing wage and hour laws, youth employment protections, protected leave laws, and other essential labor protections.

2024 Update

In fiscal year (FY) 2024, L&I continued to enhance how it protects workers' wages and working conditions. The agency implemented new rules and laws, provided a new phone intake option that enables customers to submit complaints over the phone, expanded education and outreach, and continued workplace rights investigations.

During this reporting period, the Employment Standards Program returned over \$19.6 million to workers in Washington state.

Education and outreach

The Employment Standards Program offers extensive education on workplace rights and requirements. The program uses expert staff to answer and address questions received from the public.

These efforts include education for people with limited English proficiency, helping to bridge cultural and language barriers. Public webinars were offered in both English and Spanish, with all public webinars offering free interpreting services upon request. In-person presentations are also offered in other languages with the assistance of in-person interpreters.

Investigations

In FY 2024, the program conducted over 9,000 investigations of workplace rights issues across multiple program areas including the Minimum Wage Act (RCW 49.46), The Wage Payment Act (RCW 49.48), the Industrial Welfare Act (RCW 49.12), Equal Pay and Opportunities Act (RCW 49.58), and various agriculture and protected leave statutes. The program also issued 621 penalties for violations.

Introduction

L&I protects the safety, health, and security of Washington's workers. The agency's Employment Standards Program is responsible for carrying out state laws that protect workers' wages and working conditions. The program supports L&I's mission, Keep Washington Safe and Working, by administering state laws regarding workplace rights.

The Employment Standards Program has three primary goals to support L&I's mission:

- Protect and enforce workplace rights
 - Ensure employers understand the rights they are required to provide to workers
 - Ensure workers understand and receive those rights
 - Rectify situations when workers' rights are not protected
- Serve all people in Washington
 - Create easily accessible processes
 - Ensure our services are available to all audiences and customers
- Staff development
 - Create an innovative and supportive program culture
 - Provide career and development opportunities within the program

The program administers a broad set of workplace rights that affect every employer and employee in Washington. This includes laws relating to wages, such as the state minimum wage and wage agreements between workers and employers. Enforcement also includes laws regarding working conditions, such as meal and rest breaks.

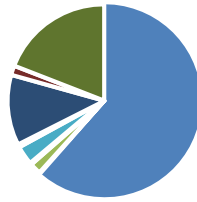
Employment Standards also ensures that workers receive paid sick leave and other forms of protected leave, and that workers are not retaliated or discriminated against for exercising leave and minimum wage rights. The program enforces laws and rules on youth employment, including hours of work, breaks, prohibited duties, and investigating on-the-job injuries that involve workers under 18. The program also enforces special work rules related to agricultural employment through its Farm Labor Contracting investigations. Employment Standards is also responsible for enforcing laws ensuring gender pay equity and collects data related to isolated workers.

The program makes extensive efforts to educate the public about these workplace rights and requirements. During FY 2024, the program devoted considerable time and resources to encourage proactive compliance with workplace laws. This team within L&I strives to ensure employees understand their workplace rights and employers understand their responsibilities under the law.

Employment Standards offers an array of education through multiple forms of communication: webinars, in-person presentations to individual organizations, radio interviews, automated email messages, website updates, publications and resource guides, and educational consultations, and has knowledgeable staff available to answer questions from the public.

While education and outreach to secure voluntary compliance is the first step, the program also conducts thousands of investigations each year on complaints and referrals. The program also works to find other ways of identifying instances in which workers' rights are not being protected. As shown below, in FY 2024, the majority of complaints were wage claims in which a worker filed a complaint alleging they were not paid appropriately. The next-highest category was "other non-wage claims", including meal and rest breaks. The third-highest category was retaliation complaints.

FY 2024



- Wage Claims
 - Farm Labor
 - Retaliation
 - Paid Sick Leave
 - Other Non-Wage Claims
- Protected Leave
 - Proactive Investigations
 - Equal Pay
 - Youth Employment

Closed Investigations in FY 2024	
Wage Claims	6,503
Other Non-Wage Claims	1,721
Paid Sick Leave/Admin Violations	29
Retaliation	354
Youth Employment	273
Farm Labor Contracting	61
Equal Pay	125
Protected Leave	38
Health Care Facility Overtime	13
Proactive Investigations	10
TOTAL	9,127

Employment Standards may assess monetary penalties to ensure compliance with workplace rights. During FY 2024, L&I issued 650 penalties associated with these types of violations totaling over \$1.26 million.

	Number of Penalties	Penalty Assessments
Wage Payment Act	537	\$734,893
Youth Employment	88	\$504,180
Farm Labor Contracts	11	\$19,250
Equal Pay	10	\$5,000
Health Care Facility Overtime	3	\$3,000
Protected Leave	1	\$1,500
TOTAL	650	\$1,267,823

2024 Information Update

Wage Complaints

The Wage Payment Act requires employers to properly pay wages to workers. Employer noncompliance with these laws most commonly involves failing to pay overtime or failing to pay at least minimum wage for hours worked. Wage complaints comprised the majority of the complaints received by this program (6,503 of 9,127, or 71%) in FY 2024. L&I investigates every wage complaint received to determine whether the law has been violated. If a violation has occurred, L&I makes every reasonable effort to collect delinquent wages owed and return them to workers.

The table below shows different types of wage complaints received between 2020 and 2024. It does not include less frequent complaints involving administrative Paid Sick Leave (PSL) violations, final paychecks, tips and service charges, unpaid hours worked, nonsufficient fund checks, and unauthorized deductions.

Wage Complaints by Allegation: Received FY 2020 - FY 2024				
Fiscal Year	Minimum Wage	Overtime	Agreed Wages	Wage Claims PSL
2020	402	1,103	1,582	768
2021	268	673	978	567
2022	337	1,086	1,440	597
2023	499	1,191	1,936	217
2024	591	1,380	2,116	1,212*

*The increase in 2024 Wage Claims PSL allegations is due in part because of improvements to our data collection process that now captures as PSL related allegation types. Data for previous years only included allegations of unpaid sick leave.

When a worker files a wage complaint, L&I has 60 days to issue a determination as to whether the law was violated. The time period to issue a determination may be extended for good cause. The table below shows the percentage of complaints that were resolved within various time periods after receipt. L&I completed 78% of complaints within 60 days and 94% of complaints within 120 days.

Wage Complaints Completed by Number of Days in FY 2024	
Number of Days to Resolve	Percentage of Complaints
Less than 60	78%
Less than 90	89%
Less than 120	94%
Less than 180	98%
More than 180	2%

Wage complaints are closed for a variety of reasons: the investigating agent may collect wages due from the employer for the employee; they may determine that there has not been a violation; an employee may choose to withdraw the complaint; the complaint may not be accepted because it is incomplete and the agent is unable to move forward with an investigation; or the investigating agent may not be able to contact the complainant after the complaint was filed.

Wage Complaints Closed

In many investigations, L&I can collect money for the worker without resorting to a citation and notice of assessment. However, not all wage complaints can be resolved through voluntary compliance, requiring L&I to issue a formal determination. Shown below is the total amount assessed for workers through each closing mechanism. Collection efforts continue beyond the fiscal year. These amounts may also include assessments in prior years. Wages that are paid prior to the department issuing a notice of assessment are not included in dollars assessed.

The table below shows the disposition of wage complaints in FY 2024. Eight percent of wage complaints filed in FY 2024 resulted in a notice of assessment, identifying wages were owed, and 4% in which the department issued a determination of compliance, indicating there was no violation – 44% were not accepted. Complaints are not accepted for the following reasons: jurisdiction, federal, prevailing wage unpaid benefits, severance/401(k), vacation, statute of limitations, independent contractor, casual labor, garnishments, complaint not signed, per diem and out of pocket expenses, bankruptcy, verbal promises of pay increase, discretionary bonuses, and harassment. The “resolved by other means” category includes cases voluntarily paid or resolved by the employer prior to the issuance of the notice of assessment.

Wage Complaints Closed by Reason in FY 2024			
Closing Reason	Number of Complaints Closed	Percentage	Assessed
Not Accepted	3,462	42%	N/A
Resolved by Other Means	1,916	23%	\$3,573,394
Withdrawn by Employee	1,053	13%	N/A
Non-Wage Resolved by Agent	787	10%	N/A
Notice of Assessment	638	8%	\$3,697,698
Determination of Compliance	368	4%	N/A
Total	8,224	100%	\$7,271,092

Includes 6,503 closed wage claims and 1,721 closed other non-wage claims.

Proactive Investigations & Enforcement

The legislature first approved supplemental funding in 2019 to increase L&I’s capacity to initiate companywide wage investigations. In contrast to investigations responding to an individual worker, a proactive companywide wage investigation involves L&I seeking broader remedies for many affected workers. These larger investigations enable L&I to follow up on systemic issues discovered in complaint investigations and strategically target and address areas and industries in which workers may be most vulnerable to workplace rights violations.

Prior to the 2006 Wage Payment Act (WPA), Employment Standards routinely conducted companywide investigations. In 2005, for instance, it recovered \$2.2 million for workers from these wider investigations. Priorities shifted when the Wage Payment Act went into effect, requiring individual worker complaints to be investigated within 60 days. These new requirements resulted in the department receiving more wage complaints from workers, leaving less time to conduct the more time-consuming companywide investigations that agents opened proactively. As a result, the practice of initiating companywide investigations all but ceased.

In FY 2024, PIEU closed 10 investigations reviewing documents for over 2,790 workers and collecting more than \$11.8 million for 1,577 workers. Two cases were closed as not accepted, and two were closed as no violation found for 916 workers. Six cases were closed with violations validated and workers’

wages were recovered.

This total amount is different than years past. In May 2024, Employment Standards' PIEU unit settled the largest wage recovery in the agency's history. This case recovered over \$11.5 million for 495 employees. During the investigation, L&I found this employer was out of compliance with the law's record-keeping provisions and had not paid workers their overtime or paid sick leave while traveling for company business.

Transportation Network Companies

The Transportation Network Companies (TNC) unit has helped almost 1,200 drivers recover over \$520,000 in unpaid compensation. During FY 2024 there were 104 TNC complaints filed with the department. The TNC Unit completed and closed 86 of those investigations. The remaining 18 complaints are ongoing.

Transportation Network Company (TNC) Data for FY 2024	
Complaints Filed in FY 2024	104
Investigations Closed in FY 2024	86

Transportation Network Company Complaints Closed by Reason for FY 2024			
Closing Reason	Number of Closed Complaints	Percentage Closed	Assessed
Not Accepted	54	63%	N/A
Compensation Resolved by Agent	25	29%	\$8,101.74
Withdrawn by Driver	4	5%	N/A
Non-Compensation Resolved by Agent	3	3%	N/A
Total	86	100%	\$8,101.74

Transportation Network Company Penalties Assessed in FY 2024			
Closing Reason	Number of Closed Complaints	Compensation Assessed	Penalties Assessed
Notice of Assessment	5	\$0	\$5,000
Determination of Compliance	0	N/A	N/A
Total	5	\$0	\$5,000

Protected Leave, Paid Sick Leave, & Retaliation

The state's leave laws ensure that workers can appropriately use paid sick leave and other forms of paid leave, as well as leave without pay for certain activities. These laws also protect workers from retaliation or discrimination for using these protected forms of leave.

Protected Leave Laws

Washington has many different protected leave laws. Those that are enforced by L&I include:

- **The Washington Family Care Act.** Allows employees to take any paid leave offered by their employer to: provide treatment or supervision for a child with a health condition and care for a qualifying family member with a serious or emergency health condition.

- **The Domestic Violence Leave Act.** Provides victims of domestic violence, sexual assault, or stalking the opportunity to take time off from work. This leave is available to all employees and qualifying family members. Victims and their family members can use domestic violence leave for legal or law enforcement assistance and court proceedings, medical and psychological help, help from social service programs, safety planning, and relocating.
- **The Military Family Leave Act.** An employee whose spouse has received an impending call to active duty during a period of military conflict may take up to 15 days of job-protected leave from work. Their spouse must be a member of the armed forces or National Guard to be eligible. This leave also applies to reservists who have been called to active duty.
- **Leave for volunteer firefighters, reserve peace officers, and civil air patrol members.** Certain emergency service personnel have rights to leave work in connection with their emergency services.

Paid Sick Leave

The Minimum Wage Act includes the requirement that employers in Washington must provide nearly all employees paid sick leave. Most workers in Washington, including part-time, temporary, and seasonal workers, are entitled to paid sick leave.

Some workers may be exempt from paid sick leave laws based on their job duties and responsibilities, e.g., some executive, administrative, and professional workers who perform specific duties and are paid a salary equal to or greater than a required salary threshold.

Retaliation

Also under the Minimum Wage Act, an employer may not retaliate against an employee who exercises a protected right, files or intends to file a complaint, or has discussed potential violations of their rights. L&I investigates complaints of retaliation or discrimination related to these activities.

The table below shows investigations and amounts recovered for workers related to leave and retaliation laws in FY 2024. The “total closed” figures represent all complaints received in those categories. Complaints are “not accepted” for which the worker is not covered by the law or there is insufficient evidence of a violation.

Paid Sick Leave/Admin Violations/Investigations Closed by Reason for FY 2024			
Closing Reason	Number of Closed Complaints	Percentage Closed	Assessed
Other*	17	59%	N/A
Not Accepted	9	31%	N/A
Withdrawn	2	7%	N/A
Determination of Compliance or No Action	1	3%	N/A
Notice of Assessment/ Infractions/Citation	0	0%	N/A
Total	29	100%	N/A

Protected Leave Complaints Closed by Reason for FY 2024			
Closing Reason	Number of Closed Complaints	Percentage Closed	Assessed
Not Accepted	23	61%	N/A
Other*	7	18%	N/A
Withdrawn	4	11%	N/A
Determination of Compliance or No Action	3	8%	N/A
Notice of Assessment/ Infractions/Citation	1	2%	\$1,500.00
Total	38	100%	\$1,500.00

Retaliation Complaints Closed by Reason for FY 2024			
Closing Reason	Number of Closed Complaints	Percentage Closed	Assessed
Workers' Complaint Not Accepted	192	54%	N/A
Retaliation Not Accepted – Internal Referral	41	12%	N/A
Retaliation Not Accepted – External Referral	51	14%	N/A
Withdrawn	44	12%	N/A
Non-Wage Resolved	7	2%	N/A
Non-Wage Settlement	6	2%	N/A
Determination of Compliance or No Action	6	1%	N/A
Otherwise Resolved – Paid	5	2%	\$49,500.88
Paid Sick Leave Administrative Violation – No Violation	2	Less than 1%	N/A
Other*	1	Less than 1%	N/A
Notice of Assessment/ Infractions/Citation	0	N/A	N/A
Total	355	100%	\$49,500.88

*Indicates closure for payment in full, arranged payment plan, or employer bankruptcy.

Agriculture

Agricultural workers have long been exempt from the state's overtime requirements. However, the Washington State Legislature changed this practice in 2021 by removing the overtime exemption for all agricultural workers.

The law prevents agricultural employees from seeking retroactive payments for overtime worked prior to July 2021. Employment Standards updated the following administrative policies that provide additional guidance and interpretation of the new law:

- [ES.A.8.1: Overtime](#)
- [ES.B.1: Paid Sick Leave – Frequently Asked Questions](#)

- [ES.C.6.2](#): Agricultural Labor Standards – Meal Periods, Rest Periods, and Rates of Pay
- [ES.D.2](#): Recordkeeping and Access to Payroll Records (Agricultural Employment)

Agricultural Overtime Education and Outreach Campaign

The program conducted extensive outreach, in English and Spanish, to inform the agricultural sector of these changes. This multifaceted education and promotional campaign spoke to a diverse audience, including agricultural workers, employers, farm labor contractors, law firms, associations, and worker advocacy organizations. Outreach examples include:

- [Fact sheet](#): This printable fact sheet explains the details of the new agricultural overtime law.
- [Fact sheet en español](#): The printable fact sheet is available in Spanish.
- [Infographic](#): This infographic highlights the key elements of the changes regarding overtime for agricultural workers.
- [Infographic en español](#): The agricultural overtime infographic is available in Spanish.
- [Webinars in English and Spanish](#): L&I hosts informational webinars every month. Look for “Understanding the Changes in Agricultural Overtime Laws” in the “Event Title” pulldown menu on this link.
- [YouTube video — Get the details on the new agricultural overtime law](#): L&I created short videos to explain the new agricultural overtime changes.
 - [Facebook video — English](#)
 - [YouTube video en español — Obtenga los detalles sobre la nueva ley de horas extras en la agricultura](#)
 - [Facebook video — en español](#)
 - [Mixteco Bajo Facebook video](#)
 - [Mixteco Bajo YouTube video](#)
 - [Administrative Policy ES.C.6.2: Agricultural Labor Standards — Meal Periods, Rest Periods, and Rates of Pay](#)

Farm Labor Contracting

Farm labor contracting provides another way for farmers to hire workers. Farmers often directly hire workers to harvest crops and do other agricultural duties. However, when a farmer pays an outside person, agency, or company — or even pays an employee an additional fee — to help find or hire laborers, then that person or company must be a licensed Farm Labor Contractor. Contractors recruit, solicit, employ, supply, transport, and hire workers for farms and other agricultural work. The farm labor contracting law protects these workers and includes requiring a contract, safe worker transportation, ensuring meal and rest breaks, and compensation.

Farm Labor Contracting conducted over 60 farm labor contractor audits to ensure compliance with rules and regulations. The unit issued 11 Notices of Violation and processed 270 Washington State Farm Labor Contractor licenses. (The team issued additional licenses after the fiscal year cut-off date.)

Farm Internship Program

The 2023 legislature updated the Farm Internship Program as well. As a result of the passage of [Substitute Senate Bill 5156](#), effective May 4, 2023, the law includes:

- All 39 Washington state counties are now eligible to participate in the Farm Internship Program.
- The Farm Internship Program is permanent and no longer has an expiration date.
- There are new requirements for farms located in 19 of the counties that became eligible to participate in 2023. Those requirements are:
 - If the farm employs more than one intern, the farm must employ at least one intern who has

- direct experience working as a migrant farmworker or whose parent or grandparent has direct experience working as a migrant farmworker.
 - If a farm is employing only one intern and the farm does not receive any other applications from individuals who meet the migrant farmworker criteria, then this requirement does not apply.
 - This applies to the following Washington counties: Adams, Asotin, Benton, Clallam, Columbia, Douglas, Ferry, Franklin, Garfield, Grays Harbor, Klickitat, Mason, Okanogan, Pacific, Pend Oreille, Skamania, Stevens, Wahkiakum, and Whitman.
- The internship shall encourage interns to participate in career and technical education or other educational content with courses in agriculture or related programs of study.

In the most current period, May 2023 through Oct. 2024, 17 farms applied for and received a special certificate enabling them to participate, and 34 interns were trained.

Youth Employment

Young workers can be an asset to employers, bringing enthusiasm and energy to the workplace. In exchange, they have opportunities to learn, contribute, and earn money. L&I enforces compliance on the Washington state Youth Employment laws. Ensuring the safety of minors at the worksite and educating employers of youth employment law is L&I's primary goal. Outreach and education is available to youth, parents, schools, employers, and the general public.

L&I enforces rest and meal period requirements for minors, documentation to hire minors, and work permits to hire minors. Additionally, the law restricts both work hours and types of work minors shall do. During the summer, minors are allowed to work more hours than during the school year. Minor workers are prohibited from performing some job duties such as, but not limited to, driving a forklift, roofing, and working in freezers or meat coolers.

There are a variety of variances available to employers for minor workers.

A Student Learner Exemption Minor Work Variance allows minors ages 16-17 to work within eight otherwise prohibited duties. The minor must be enrolled in a bona fide cooperative vocational education program, diversified career experience program, or work experience program certified and be monitored by the Office of the Superintendent of Public Instruction (OSPI) or the minor employee's school district, or the minor must be participating in an apprenticeship program registered with the Washington State Apprenticeship and Training Council (WSATC). The safety of minors on the worksite is L&I's primary consideration when reviewing these variances. Employers and schools, or registered apprenticeship training programs have obligations under this variance. The variance will only be allowed if the hazardous work performed by a minor is incidental to the training program, intermittent, and under the direct and close supervision of a journeyman or experienced adult. In addition to the Student-Learner Exemption Minor Work Variance Application, employers must also abide by all other youth employment laws.

A Special Variance Authorization on the [Parent/School Authorization form](#) allows teens enrolled in public or private schools to work additional hours, up to 6 hours per day, during the school week and up to 28 total hours per week. This differs from the standard 4 hours per day during the school week and 20 total hours per week. L&I does not approve special variances unless the minor, parents, school, and employer agree that the minor can work these additional hours. The parent and school must fill out and sign the special variance box at the bottom of the Parent/School Authorization form. This variance is only available for 16-17 year-olds working in non-agricultural jobs.

Minor Work Variance Applications are for minor workers 16-17 years-old allows additional hours beyond a special variance. This variance also allows for minors to work earlier or later than usually allowed or work during regular school hours, upon approval from L&I. Minor work variances are available for minors working in agricultural and non-agricultural jobs for a good cause reason.

A Seasonal Group Minor Work Variance allows minors to temporarily work additional hours during peak business times. Seasonal group variances are available for minors working in agricultural and non-agricultural jobs. This variance is typically used in agriculture during the harvest season.

A Theatrical Minor Work Variance allows minors employed as actors or performers in film, video, audio, or theatrical productions to temporarily work more than the allowed hours. This variance also allows for minors to work earlier or later than usually allowed or work during regular school hours, upon approval from L&I. Applications detail the minor's working conditions and planned work schedule, adult supervision of the minor, and any planned educational programs.

The table below shows minor injuries, work permits, and variances.

Investigations, Work Permits & Variances from FY 2020 - FY 2024					
	FY 2020	FY 2021	FY 2022	FY 2023	FY 2024
Minor Injuries Reports Reviewed	1,400	1,275	811	799	869
Minor Work Permits Issued	32,856	30,199	38,208	38,349	39,450
Minor Work Variances Issued	194	261	495	522	573
Public Outreach & Education	907	2,368	2,502	1,306	522

Source: L&I Employment Standards Program.

Equal Pay & Opportunities Act

The Equal Pay and Opportunities Act (EPOA), effective June 7, 2018, prohibits employers from compensating employees differently or limiting or denying career advancement based on gender. The law also explicitly allows employees to disclose, discuss, and compare their wages or the wages of others.

In 2019, this law was amended to add protections for employees and job applicants. This change prohibits employers from requesting job applicant wage or salary history, except under certain circumstances. Employers are prohibited from requiring applicant wage or salary history to meet certain criteria. Internal promotion or transfer applicants have the right to certain salary information if the employer has 15 or more employees.

The law was amended in 2022 to add further protections for job applicants. As of January 1, 2023, employers with 15 or more employees must disclose wage scale or salary range, a description of benefits, and other compensation in their job postings. On December 1, 2022, L&I published the [Equal Pay and Opportunities Act Administrative policy ES.E.1](#) to provide guidance on this change and other sections of the EPOA.

At the end of 2023, the Employment Standards' isolated worker protections, protected leave, and EPOA units were combined to allow for cross training and continuity. Together, the EPOA team (with help from many others) created new fact sheets, updated several internal guidance documents, revamped the EPOA website to make it easier for customers to navigate, and collaborated with stakeholders to share information. Externally, the EPOA team has been conducting extensive outreach efforts in person and via

webinars, responding to questions via email, and conducting employer consultation requests.

Additionally, the EPOA team has developed a new service to encourage proactive and voluntary compliance from employers through education when allegations of violations of the new pay transparency requirements are made. This new service means the team educates an employer in response to tips regarding noncompliant job postings, even if no complaint is filed.

A tip may be submitted if a person sees a job posting they believe does not comply with the EPOA’s pay transparency requirements but does not intend to apply for the available position or wish to file a formal complaint. In these instances, L&I may provide education on the law to the applicable employer.

In FY 2024, L&I received over 160 EPOA complaints. Of those, 125 were closed, as shown below. The remaining continue to be adjudicated. One citation and notice of assessment was issued, and \$4,720 was assessed as damages that were recovered during mediation and given to the workers; these also include eight \$500 civil penalties. Seven Notices of Finding were issued in each of these cases stating a violation was found that was resolved. Collection efforts will continue for outstanding assessments.

Equal Pay & Opportunities Act Complaints/Investigations Closed by Reason for FY 2024			
Closing Reason	Number of Closed Complaints	Percentage Closed	Assessed
Not Accepted	73	58%	N/A
Withdrawn	31	25%	N/A
Resolved	13	10%	\$4,720
Notice of Finding (no citation)	7	6%	N/A
Notice of Assessment/Citation	1	1%	\$3,500
Total	125	100%	\$8,220

L&I presented more than 30 webinars to the public as well as employers and organizations, reaching over 2,000 attendees. L&I also presented to individual organizations upon request.

The agency continues to offer customized EPOA employer consultations to help employers understand the impact that EPOA might have on their organization and employment practices, and evaluate possible specific risks.

Isolated Workers

During the 2019 session, the legislature passed [Senate Bill \(SB\) 5258](#), which added protections for certain isolated workers in the janitorial, security, retail, and hospitality industries. Certain employers must now provide panic buttons for isolated workers and implement a sexual harassment policy and training curriculum. Additionally, the law requires property services contractors (janitorial companies) to submit work location, hours, and sexual harassment training data to L&I each quarter. Lastly, employers must provide affected employees with contact information for the Equal Employment Opportunity Commission and the Washington State Human Rights Commission, as well as any local organizations geared toward preventing sexual assault and harassment.

L&I does not have investigative authority under this law, though the agency continues to provide outreach and education regarding employers’ responsibilities and the rights of affected employees. L&I conducts monthly educational webinars regarding isolated worker protections.

Since the law requires employers to provide their employees with a list of any local advocacy groups

focused on preventing sexual harassment and sexual assault, L&I created a statewide list of these advocacy groups for businesses to provide to their employees.

Outreach & Customer Service

L&I prioritizes education and outreach to ensure employers understand their responsibilities and workers know their rights. Information is shared in all parts of Washington to increase voluntary compliance. Materials are drafted using plain language and are translated into many languages.

In FY 2024, Employment Standards offered monthly webinars on a variety of topics including: Employer Guide to Worker Rights; Know Your Worker Rights; overtime exemptions; Equal Pay and Opportunities Act; Employers’ Guide to Paid Sick Leave Rights; and Isolated Worker Protections. Offering these webinars has enabled L&I to educate thousands of employers and employees remotely across the state.

Program staff continued to collaborate with the Adult Family Home Council on issues of importance to its membership and are providing a monthly educational webinar in conjunction with the U.S. Department of Labor.

In addition to monthly webinars, program staff answer questions and meet with organizations to educate them about these responsibilities. The L&I website is also kept up to date with helpful guidance and resources such as fact sheets, employer guides, case examples, and frequently asked questions. In addition, customer service staff received and directed more than 44,000 calls from customers.

The table below summarizes the outreach events for the wage and hour units. EPOA presentations on the new Pay Transparency and Job Postings law were attended in great numbers. Events that discuss overtime rules for executive, administrative, and professional workers, overtime rules for agricultural workers, and information provided in our Employer Guide presentation remained the most popular.

Outreach Activities for FY 2024		
Program Unit	Number of Events	Event Attendance
Wage Payment Act*	49	2,831
Agricultural Overtime	17	78
Paid Sick Leave	19	148
Executive, Administrative, & Professional Rules	14	47
Isolated Workers	12	73
Equal Pay & Opportunities Act	24	536
Youth Employment	11	522
Employment Standards In-Person General Topics	13	1,200

*These outreach events also include other general program topics.

Limited English Proficiency (LEP) & Accessibility Progress

L&I enforces workplace laws that affect most employers and employees in the state across a wide variety of diverse backgrounds and industries. L&I is committed to expanding services and information for all customers.

The following data shows all complaints opened and resolved by the Employment Standards Program for all complaint types and the preferred language of the complainants during FY 2024. This does not include any cases opened in the previous fiscal year. While the majority of complainants prefer English, there are

significant numbers of inquiries in other languages, particularly Spanish, Russian, and Chinese.

Employment Standards Complaints by Preferred Language for FY 2024	
Preferred Language	Number of Complaints Resolved
English	8,256
Spanish	1,164
Russian	45
Chinese	27
Other	26
Korean	17
Vietnamese	9
Arabic	3
Cambodian	2
Amharic	2

The program offers free translation and interpreter services to customers in their preferred language, in accordance with internal, state, and federal requirements.

To ensure the rights of all workers are protected, direct outreach efforts were made to educate people with limited English proficiency (LEP). Public webinars — including Know Your Worker Rights (for employees) and Employer Guide to Workers’ Rights — were offered in both English and Spanish. These public webinars and all other public virtual events were well attended and informed thousands of people. The webinars also offered free interpreting assistance. These are in addition to the data previously provided in the outreach activities table under Outreach and Customer Service.

Limited English Proficiency Events in FY 2024	
Program Unit	Number of Events
Farm Labor Contracting/Agricultural	69

In partnership with L&I’s Community Relations team, Employment Standards participated in 23 radio and TV Spanish-language interviews to inform the public about employment standards topics.

In addition to extensive outreach efforts for LEP workers, the Farm Labor Unit ensures compliance with agricultural employment standards, farm labor contracting, and other protections of diverse communities in both the agricultural and reforestation sectors. Agents provided agricultural employers and farm labor contractors with one-on-one consultation services regarding the requirements of those laws, including licensing, employer, break and rest period, and out-of-state employer requirements.

Agents conducted field visits to audit registered farm labor contractors. These visits provide an opportunity to educate contractors of their requirements and interview workers to confirm the accuracy of the audit and educate them of their rights in their language of preference. The unit also provides education and outreach presentations at the request of community partners representing LEP customers, agricultural business associations whose membership employs LEP customers, and other relevant entities in the agricultural sector.

Additionally, Employment Standards worked on a number of projects to help LEP workers gain meaningful access to our services. Some of these projects focus primarily on Spanish and include a plan for expanding language access services to other languages. Project objectives included:

- Initiating Worker Rights Complaints over the phone
- Translating all Employment Standards content on the L&I's public website from English to Spanish
- Translating forms, publications, and policy documents
- Translating administrative policies
- Translating standard letters and documents used in investigations into Spanish, Russian, Chinese Simplified, and other languages as requested
- Maintaining a translations repository to prevent investigation delays due to translation timelines
- Providing language assistance services during investigations, consultations, and outreach events
- Implementing and updating the standard work and case management processes for investigations that involve LEP customers (employees and/or employers)
- Creating and updating a new Operations Manual to provide guidance and expectations to staff related to language access, effective communication, and accessibility services
- Conducting and facilitating LEP outreach, including in-person events, webinars, individual presentations, radio interviews, and social media presentations in partnership with community organizations
- Removing potential barriers and working on initiatives to provide multiple complaint filing options for workers to exercise their rights
- Collaborating with other L&I programs that provide bilingual support to LEP customers
- Informing customers of their right to request interpreting and translation services at no cost to them
- Informing customers of their right to file a civil rights complaint if they experienced denial of services provided by the Employment Standards Program
- Having bilingual staff provide small translations and translating incoming complaints from Spanish to English and vice versa for program areas with no bilingual staff

Employment Standards has invested in translation costs to have all letters used during Wage Payment Act investigations translated into Spanish, Chinese Simplified, and Russian, and continues to request translation of these letters into other languages as customers (claimants and employers) are identified as LEP during investigations.

On June 1, 2023, the program launched a new service — the Phone Intake Complaint Hotline for Wage Payment Act complaints. The program now offers an additional complaint filing option for workers who are unable to utilize existing complaint filing methods. This customer-centered initiative helps workers file Workers Rights Complaint forms over the phone with the assistance of an Intake Specialist.

The Intake Specialist also provides assistance with language services such as voice messaging, interpreting, and translation. These services have been integrated to facilitate the process for workers of diverse language backgrounds. Additionally, the new service actively helps break barriers and provide access to diverse customers, with the aim of having them file their complaint and exercise their rights.

During FY 2024, the service received 1,355 contacts from the public through the Worker Rights Complaint Hotline. Currently, Employment Standards offers this service only for Worker Rights Complaints. The program is now in a position to expand the service to all Employment Standards program units.

These equitable access efforts are critical to providing high-quality service to all customers and finding ways to adapt our processes to our customers' language and accessibility needs.

New Worker Protections

- **Paid Sick Leave (PSL) Definitions and Amendments**
[Engrossed Substitute Senate Bill 5793](#) (ESSB 5793), effective Jan. 1, 2025, amends RCW 49.46.210. This bill updates the current definitions of "family member," "child," and "parent," and adds new definitions "grandchild," "grandparent," and "spouse". ESSB 5793 expands the paid sick leave definition of "family member" to include individuals who regularly reside in the employee's home or where the relationship creates an expectation that the employee care for the person, expands the definition of "child" to include a child's spouse, and adds definitions of "grandchild" and "grandparent". This bill also expands authorized use of PSL to include the employee's personal health and well-being and family member health and well-being. PSL also includes instances when an employee's place of business or employee's child's school or place of care is closed for a health-related reason or due to a declaration of public emergency by a local or state government or agency, or by the federal government.
- **Paid Sick Leave for the Construction Industry**
[Senate Bill 5979](#) (SB 5979), effective immediately, changes the PSL requirements for workers in the construction industry. During the 2023 legislative session, [Engrossed Second Senate Bill 5111](#) passed, requiring employers to pay out sick leave balances to a worker covered under NAICS 23 (except 2361- residential building construction) who separates from employment before 90 days of employment.

SB 5979 limits the paid sick leave separation payout protections to only defined construction workers and defined employers in the construction industry. The bill excludes workers who do not perform construction work, such as nonexempt administrative staff, by specifically limiting the provision to workers who perform construction work under specific circumstances.

- **Equal Pay and Opportunities Act Amendments**
[Substitute House Bill 1905](#), effective July 1, 2025, expands the Equal Pay and Opportunities Act. This bill amends RCW 49.58 and adds new sections to include protections against discrimination for additional protected classes in addition to gender.

"Protected class" means a person's age, sex, marital status, sexual orientation, race, creed, color, national origin, citizenship or immigration status, honorably discharged veteran or military status, or presence of any sensory, mental, or physical disability or use of a trained dog guide or service animal by a person with a disability, as defined in RCW 49.60.040.

A person may file a complaint asserting discrimination based on the person's membership in more than one protected class.

Employment Standards will develop educational materials and conduct outreach to inform individuals and businesses of the new provisions related to discrimination based on membership in a protected class. L&I will need to notify approximately 3.5 million workers and 260,000 employers about the new rights and responsibilities resulting from this bill.

- **Creating Safer Working Conditions in Adult Entertainment Establishments**
[Engrossed Substitute Senate Bill 6105](#) (ESSB 6105), effective Jan. 1, 2025, adds workplace

safety, operational, and labor standards to adult entertainment establishments and protections for adult entertainers. The bill makes updates to wage and hour requirements under chapter 49.46 RCW and adds to existing safety and health requirements at adult entertainment establishments under chapter 49.17 RCW.

- **Creating Employment Standards for Long-Term Care Providers**
[Substitute House Bill 1942](#), effective June 6, 2024, amends minimum wage protections for individual long-term care providers (RCW 49.46.800). This bill clarifies that hours worked by an individual provider who is contracted with DSHS, or consumer-directed employers contracting with the state, in excess of the number of authorized hours in the client's plan of care are not compensable in certain circumstances.
- **Establishes Retirement Security Standards through the Washington Saves Program**
[Engrossed Substitute Senate Bill 6069](#), effective July 1, 2027, is intended to improve private Washington workforce retirement security standards by establishing Washington Saves, an automatic enrollment individual retirement savings account program, and updating the Washington retirement marketplace statute.
- **Minor League Baseball Players**
[Senate Bill 6088](#), effective June 6, 2024, creates an exemption from the Minimum Wage Act under RCW 49.46.010 for workers contracted to play minor league baseball.
- **Wage Recovery Fund**
[Substitute House Bill 2097](#), effective June 6, 2024, adds new sections to the Wage Payment Act (WPA), RCW 49.48. The bill directs L&I to convene a workgroup to explore a wage recovery program or fund and, with consensus or majority from the workgroup, submit a report of recommended options to the legislature by Dec. 1, 2025.
- **Expanding the Definition of Family Members for Individual Providers**
[Senate Bill 5811](#), effective Jan. 1, 2025, expands the definition of family member for individual providers in RCW 18.88B.041, 74.39A.076, and 74.39A.341.

Conclusion

The Department of Labor & Industries' Employment Standards administers state laws that protect workers' wages and working conditions, helping to fulfill L&I's mission to *keep Washington safe and working*. In the last several years, laws have expanded workers' rights and employer responsibilities, including overtime for agricultural workers and ensuring equal pay. In addition, L&I expanded the categories of workers who are eligible for overtime and enforcement authority related to overtime.

Employment Standards has responded to multiple new laws and initiatives, including the need to create new rules and update existing ones. These new responsibilities have resulted in changes in staffing levels and responsibilities, procedural changes, and new and expanded enforcement mandates. L&I made these improvements while adding new workload requirements, expanding education and outreach, and ensuring the vitality of workplace rights investigations.