
**Labor & Workplace Standards
Committee**

HB 1524

Brief Description: Concerning workplace standards and requirements applicable to employers of isolated employees.

Sponsors: Representatives Obras, Scott, Fosse, Hill, Gregerson, Reed, Berry, Parshley, Salahuddin, Peterson, Simmons, Ormsby, Macri and Pollet.

Brief Summary of Bill

- Requires the Department of Labor and Industries to investigate complaints of and issue penalties for violations of the requirements for employers of isolated employees.

Hearing Date: 1/29/25

Staff: Kelly Leonard (786-7147).

Background:

Sexual Harassment in the Workplace.

Sexual harassment is a form sex discrimination involving unwelcome sexual advances or conduct that creates an intimidating, hostile, or offensive working environment. The Washington Law Against Discrimination (WLAD) prohibits sex discrimination, including sexual harassment, in employment. If a worker is injured by this form of discrimination, the worker can file a complaint with the Human Rights Commission (HRC) and/or file a lawsuit against the employer. Similar protections are afforded by the federal Civil Rights Act of 1964, which entitles employees of certain employers to protections by the Equal Employment Opportunity Commission (EEOC).

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

Isolated Employees.

In 2019 the state established specific requirements for employers of "isolated employees," which includes any janitor, security guard, hotel or motel housekeeper, or room service attendant who also spends a majority of her or his working hours alone or whose primary work responsibility involves working without another coworker. The Department of Labor and Industries (L&I) administers requirements pertaining to isolated employees.

Every hotel, motel, retail, or security guard entity, or property services contractor, who employs one or more isolated employees must:

- adopt a sexual harassment policy and provide mandatory training to the employer's managers, supervisors, and employees;
- provide its isolated employees with a list of resources, including contact information of the EEOC, HRC, and local advocacy groups focused on preventing sexual harassment and sexual assault; and
- provide each isolated employee with a panic button, with exceptions for security guard companies.

Property services contractors must submit certain information to L&I, including the number of employees who completed training, and the number of covered employees and their work locations and hours. "Property services contractor" means any person or entity that employs workers to perform labor for another person or on behalf of an employer, to provide commercial janitorial services.

Summary of Bill:

The definition of "isolated employee" is modified to mean any janitor, security guard, hotel or motel housekeeper, or room service attendant who performs work in an area where two or more coworkers, supervisors, or a combination thereof are unable to immediately respond to a call of distress or emergency, or who spends at least 50 percent of her or his working hours without a supervisor or another coworker present.

The mandatory training must be provided at least annually, and property services contractors must submit required information to L&I at least quarterly.

L&I is directed to enforce the isolated employee provisions. L&I must investigate any complaint alleging a violation of the isolated employee requirements, excluding violations that occurred more than three years before the complaint. L&I must issue either a citation and notice of assessment or a determination of compliance within 90 days, unless the complaint is otherwise resolved. L&I may extend the period by providing advance written notice to the complainant and the employer setting forth good cause for an extension of the period and specifying the duration of the extension. If the investigation finds that the allegation cannot be substantiated, L&I must issue a closure letter to the complainant and the employer detailing such finding.

If L&I finds a violation has occurred, it must order the employer to pay L&I a civil penalty. The

maximum penalty is \$1,000 for each violation, except the maximum penalty is increased to \$2,500 for the fourth and subsequent violation. L&I may waive or reduce a civil penalty if it determines that the employer has taken corrective action to resolve the violation.

Appropriation: None.

Fiscal Note: Requested on January 27, 2025.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.