

Workers' Bill of Rights Initiative

Petition Title: *"Fair Wages, Fair Schedules A Workers Bill of Rights"*

City Council Meeting

July 22, 2025

Presenter: Stacey Ray, Assistant City Manager



Workers' Bill of Rights Initiative

Agenda Item Purpose:

City Council to consider and take formal action on a resolution regarding a Workers' Bill of Rights Initiative Ordinance Concerning Labor Standards for Certain Employees

Agenda:

- Initiative Process & Timeline
- Content of the Initiative
- Council Action



Workers' Bill of Rights Initiative

Petition Submittal and Review Timeline:

- June 24: City Clerk receives first batch of petition signatures.
- June 25: First batch of signatures is filed with the office of the Thurston County Auditor
- June 30: Second batch of signatures is filed with the office of the Thurston County Auditor
- July 14: Thurston County Auditor certifies the petition as sufficient pursuant to RCW 35A.11.100

For the petition to be certified as sufficient, it must be signed by fifteen percent (15%) of the total number of names of persons listed as registered voters within the city on the day of the last preceding city general election.

The Thurston County Auditor's office determined the number of minimum verified signatures required to be: 5,788.



Workers' Bill of Rights Initiative

Petition Data:

- Number of registered voters in the City of Olympia at the 2024 General Election: 38,591
- Number of signatures on the petition filed by the proponents: 13,764
- Number of signatures examined: 12,118
- Number of minimum verified signatures required: 5,788
- Number of verified signatures: 5,796
- Number of rejected signatures: 6,322

Reasons for rejected signatures included: duplicate, not legible, not registered, out of district, signature does not match and signature missing.



Workers' Bill of Rights Initiative

City of Olympia Timeline:

- July 17: City Council Study Session
- July 22: City Council Action on a Resolution
 - Must occur within 20 days after certificate of sufficiency is received by the City

Options for Council Action (RCW 35.17.260):

- Pass the proposed initiative petition ordinance without alteration
 - Send the proposed initiative petition ordinance without alteration to a vote of the people
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Workers' Bill of Rights Initiative

Timeline if Council Approves a Resolution to Send the Initiative to a Vote of the People:

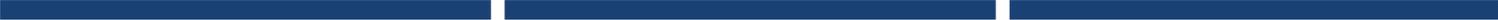
- August 4: City Council Action on For/Against Statement committee members
- August 5: Deadline for submittal of the resolution, explanatory statement, and For/Against Committee members to be submitted to Thurston County Elections
- August 12: Deadline for the For/Against Statements to be submitted to Thurston County Elections
- November 4: 2025 General Election



Workers' Bill of Rights Initiative Language

This presentation reflects the *Workers' Bill of Rights* initiative language as certified as sufficient by the Thurston County Auditor on July 14, 2025.

Petition Title: *"Fair Wages, Fair Schedules A Workers Bill of Rights"*

- The entirety of the initiative language is not included in the presentation.
 - The content has not been summarized but is shown here precisely as filed.
 - The content may be presented in a different order than as in the initiative.
 - Content that applies to all sizes of employers is duplicated in each of the small, medium and large employer sections.
 - Where the language is specific to a small, medium or large employer, the employer size is shown in the following slides in bold for purposes of this presentation only.
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Initiative Language

- In passing this Workers Bill of Rights, the voters express the following intent:
 - Workers deserve fair and secure scheduling, with sufficient advanced notice of their work schedules, so they can plan their lives and family budgets.
 - Workers deserve a fair opportunity to move into full time work when those hours become available, and those additional hours should be distributed in a reasonable, transparent, and non-discriminatory manner.
 - Workers deserve a fair wage for their work. The initiative raises the minimum wage so that Olympia workers get paid fairly, like employees in other major Puget Sound cities, and allows the minimum wage to increase with the cost of living.
 - Workers deserve a safe workplace environment. The Workers Bill of Rights protects workers through basic safety planning and precautions.
 - Workers deserve to know their rights and have tools to enforce them.
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Initiative Language

Definitions.

- “Large Employer” means an employer that employs more than 500 employees, regardless of where those employees are employed, including all franchisees associated with a franchisor or network franchises with franchisees that employ more than 500 employees in aggregate.
 - “Medium employer” means an employer that employs more than 15 employees but not more than 500 employees, regardless of where those employees are employed, including all franchisees associated with a franchisor or a network of franchises with franchisees that employ more than 15 but not more than 500 employees in aggregate.
 - “Small employer” means an employer that employs 15 or fewer employees, regardless of where those employees are employed.
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Initiative Language

Definitions.

- “Annual rate of inflation” means 100 percent of the annual average growth rate of the bi-monthly Seattle-Tacoma-Bellevue Area Consumer Price Index for Urban Wage Earners and Clerical Workers, termed CPI-W for the 12-month period ending in August, provided that the percentage increase shall not be less than zero.
- “Hour worked within the City” is to be interpreted according to its ordinary meaning, including all hours worked within the geographic boundaries of the City, excluding time spent in the City solely for the purpose of travelling through the City from a point of origin outside the City to a destination outside the City, with no employment-related or commercial stops in the City except for refueling or the employee’s personal meals or errands.



Small Employer

“Small employer” means an employer that employs 15 or fewer employees, regardless of where those employees are employed.

Initiative Language – Small Employer

Giving workers the right to fair scheduling so they can plan their lives and family budgets.

- At time of hire or during employment, an employee may identify any limitations or changes in work schedule availability. The employee has the right to request not to be scheduled for work shifts during certain times or at certain locations and the right to identify preferences for the hours or locations of work. All employers are encouraged to accommodate employee requests to the greatest extent possible.



Initiative Language – Small Employer

Part-Time Employees Shall Have Fair Access to Additional Hours.

- This section shall not be construed to require any employer to offer an employee work hours if the employer would be required to compensate the employee at time-and-a-half, an unfair scheduling payment or other penalty under this chapter, or other premium rate under any law or collective bargaining agreement, nor to prohibit any employer from offering such work hours.
- This section takes effect 90 days after the effective date.



Initiative Language – Small Employer

Medium and Small Employers Shall Have a Multiyear Phase-In Period.

- Starting upon the effective date, and through the end of that calendar year, **small employers** must pay their employees an hourly minimum wage rate as established in section .040 minus three dollars. The three-dollar reduction must decrease annually by fifty cents on January 1 of each thereafter until the reduction is zero.



Initiative Language – Small Employer

Coverage and Employer Classifications.

- Employer classification for a calendar year will be calculated based upon the average number of employees during all weeks in the previous calendar year in which the employer had at least one employee. For employers that did not have any employees during the previous calendar year, classification will be based upon the average number of employees during the most recent three months of the current year. In this determination, all employees will be counted, regardless of their location, and including employees who worked in full-time employment, part-time employment, joint employment, temporary employment, or through the services of a temporary services or staffing agency or similar entity.
 - For the purposes of employer classification, separate entities will be considered a single employer if they form an integrated enterprise or are under joint control by one of those entities or a separate entity. The factors to consider in making this assessment include but are not limited to: (1) degree of interrelation between the operations of multiple entities; (2) degree to which entities share common management; (3) centralized control of labor relations; and (4) degree of common ownership or financial control over the entities.
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Initiative Language – Small Employer

Retaliation Prohibited.

- No employer or any other person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected by this chapter.
- No employer or any other person shall take any adverse action against any person because the person has exercised in good faith the rights under this chapter, including but not limited to claiming the minimum wage, unfair scheduling payment, or unsafe conditions premiums to which they are entitled under this chapter, or participating in the workplace safety planning under this chapter.
- For the purpose of this section, an adverse action means any action taken by a person that would dissuade a reasonable person from exercising any right protected under this chapter.



Initiative Language – Small Employer

Enforcement.

- The City is authorized to implement and enforce this chapter, including promulgating regulations. Any regulations the City promulgates shall have the force and effect of law and may be relied on to determine rights and responsibilities under this chapter.
- Any person or class of persons that suffers financial injury as a result of a violation of this chapter or is the subject of prohibited retaliation under this chapter, or any other individual or entity acting on their behalf, may bring a civil action in a court of competent jurisdiction against the employer or other person violating this chapter...For purposes of this section, an aggrieved party means an employee or other person who suffers tangible or intangible harm due to an employer or other person's violation of this chapter.



Initiative Language – Small Employer

Enforcement.

- If the employer is found to have committed violations of this chapter, the City, or court of competent jurisdiction on behalf of the City, shall assess a fine in the amounts set forth below adjusted for inflation from the effective date:

Failure to pay an employee an unfair scheduling payment.	\$500 per failure.
Failure to offer additional hours of work to existing employees	\$500 per failure.
Failure to provide employees with written notice of rights	\$500
Failure to provide employees with written notice of rights	\$1,000 to \$5,000 per aggrieved party



Initiative Language – Small Employer

Enforcement.

- Each employer must retain records as required by RCW 49.46.070, as well as such information as the City may require to confirm compliance with this chapter. If an employer fails to retain such records, there shall be a presumption, rebuttable by clear and convincing evidence, that the employer violated this chapter for the period and for each employee for whom records were not retained.
- Employers must permit authorized City representatives access to work sites and relevant records for the purpose of monitoring compliance with the chapter and investigating complaints of noncompliance, including production for inspection and copying of employment records. The City may designate representatives, including city contractors and representatives of unions or worker advocacy organizations, to access the worksite and relevant records.



Initiative Language – Small Employer

Enforcement.

- Complaints that any provision of this chapter has been violated may also be presented to the City Attorney, who is hereby authorized to investigate and, if they deem appropriate, initiate legal or other action to remedy any violation of this chapter.
 - The City has the authority to issue administrative citations and to order injunctive relief including reinstatement, restitution, payment of back wages, or other forms of relief.
 - The City may, in the exercise of its authority and performance of its functions and services, agree to participate jointly or in cooperation with Washington State, or any county, city, town, or other incorporated placed, or subdivision thereof, or engage outside counsel, to enforce this chapter.
 - The remedies and penalties provided under this chapter are cumulative and are not intended to be exclusive of any other available remedies or penalties, including existing remedies for enforcement of Olympia Municipal Code chapters.
 - The statue of limitations for any enforcement action shall be three (3) years.
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Initiative Language – Small Employer

Miscellaneous.

- Nothing in this chapter shall be construed to discourage or prohibit the employer from the adoption or retention of policies more generous than the ones required herein.
- Nothing in this chapter shall be construed as diminishing the obligation of the employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous policies to an employee than required herein.
- Except as to the minimum wage, the requirements of this chapter shall not apply to any employees covered by a bona fide collective bargaining agreement to the extent that such requirements are expressly waived in the collective bargaining agreement, or in an addendum to an existing agreement including an agreement that is open for negotiation, in clear and unambiguous terms and the employees have ratified an alternative structure to meet the public policy goals of this chapter.



Initiative Language – Small Employer

Other Legal Requirements.

Section 3. Rulemaking.

Within 120 days after the effective date, the City must adopt rules and procedures to implement and ensure compliance with this chapter, which shall require employers to maintain adequate records and to annually certify compliance with this chapter. The City must seek feedback from worker organizations and employers before finalizing the rules and procedures.

Section 6. Effective Date.

If this ordinance is enacted during a November general election, it shall take effect on January 1 of the immediately following year. If this ordinance is enacted at a different time, it shall take effect 60 days after the election.



Medium Employer

“Medium employer” means an employer that employs more than 15 employees but not more than 500 employees, regardless of where those employees are employed, including all franchisees associated with a franchisor or a network of franchises with franchisees that employ more than 15 but not more than 500 employees in aggregate.

Initiative Language – Medium Employer

Giving workers the right to fair scheduling so they can plan their lives and family budgets.

- At time of hire or during employment, an employee may identify any limitations or changes in work schedule availability. The employee has the right to request not to be scheduled for work shifts during certain times or at certain locations and the right to identify preferences for the hours or locations of work. All employers are encouraged to accommodate employee requests to the greatest extent possible.



Initiative Language – Medium Employer

Part-Time Employees Shall Have Fair Access to Additional Hours.

- Before hiring additional employees or subcontractors, including hiring through the use of temporary services or staffing agencies, **large and medium employers** must (1) offer additional hours of work to existing employees who, in the employers good faith and reasonable judgment, have the skills and experience to perform the work, (2) notify all such employees when additional hours are available, and (3) use a reasonable, transparent, and non-discriminatory process to distribute the hours of work among those existing employees. This requirement applies even if the number of additional hours is more than any one existing employee can work and hours must be distributed among multiple existing employees.
 - This section shall not be construed to require any employer to offer an employee work hours if the employer would be required to compensate the employee at time-and-a-half, an unfair scheduling payment or other penalty under this chapter, or other premium rate under any law or collective bargaining agreement, nor to prohibit any employer from offering such work hours.
 - This section takes effect 90 days after the effective date.
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Initiative Language – Medium Employer

Medium and Small Employers Shall Have a Multiyear Phase-In Period.

- Starting upon the effective date, and through the end of that calendar year, medium employers must pay their employees an hourly minimum wage rate as established in section .040 minus two dollars per hour. The two-dollar reduction must decrease annually by one dollar on January 1 of each year thereafter until the reduction is zero.



Initiative Language – Medium Employer

Coverage and Employer Classifications.

- Employer classification for a calendar year will be calculated based upon the average number of employees during all weeks in the previous calendar year in which the employer had at least one employee. For employers that did not have any employees during the previous calendar year, classification will be based upon the average number of employees during the most recent three months of the current year. In this determination, all employees will be counted, regardless of their location, and including employees who worked in full-time employment, part-time employment, joint employment, temporary employment, or through the services of a temporary services or staffing agency or similar entity.
 - For the purposes of employer classification, separate entities will be considered a single employer if they form an integrated enterprise or are under joint control by one of those entities or a separate entity. The factors to consider in making this assessment include but are not limited to: (1) degree of interrelation between the operations of multiple entities; (2) degree to which entities share common management; (3) centralized control of labor relations; and (4) degree of common ownership or financial control over the entities.
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Initiative Language – Medium Employer

Retaliation Prohibited.

- No employer or any other person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected by this chapter.
- No employer or any other person shall take any adverse action against any person because the person has exercised in good faith the rights under this chapter, including but not limited to claiming the minimum wage, unfair scheduling payment, or unsafe conditions premiums to which they are entitled under this chapter, or participating in the workplace safety planning under this chapter.
- For the purpose of this section, an adverse action means any action taken by a person that would dissuade a reasonable person from exercising any right protected under this chapter.



Initiative Language – Medium Employer

Enforcement.

- The City is authorized to implement and enforce this chapter, including promulgating regulations. Any regulations the City promulgates shall have the force and effect of law and may be relied on to determine rights and responsibilities under this chapter.
- Any person or class of persons that suffers financial injury as a result of a violation of this chapter or is the subject of prohibited retaliation under this chapter, or any other individual or entity acting on their behalf, may bring a civil action in a court of competent jurisdiction against the employer or other person violating this chapter...For purposes of this section, an aggrieved party means an employee or other person who suffers tangible or intangible harm due to an employer or other person's violation of this chapter.



Initiative Language – Medium Employer

Enforcement.

- If the employer is found to have committed violations of this chapter, the City, or court of competent jurisdiction on behalf of the City, shall assess a fine in the amounts set forth below adjusted for inflation from the effective date:

Failure to pay an employee an unfair scheduling payment.	\$500 per failure.
Failure to offer additional hours of work to existing employees	\$500 per failure.
Failure to provide employees with written notice of rights	\$500
Failure to provide employees with written notice of rights	\$1,000 to \$5,000 per aggrieved party



Initiative Language – Medium Employer

Enforcement.

- Each employer must retain records as required by RCW 49.46.070, as well as such information as the City may require to confirm compliance with this chapter. If an employer fails to retain such records, there shall be a presumption, rebuttable by clear and convincing evidence, that the employer violated this chapter for the period and for each employee for whom records were not retained.
- Employers must permit authorized City representatives access to work sites and relevant records for the purpose of monitoring compliance with the chapter and investigating complaints of noncompliance, including production for inspection and copying of employment records. The City may designate representatives, including city contractors and representatives of unions or worker advocacy organizations, to access the worksite and relevant records.



Initiative Language – Medium Employer

Enforcement.

- Complaints that any provision of this chapter has been violated may also be presented to the City Attorney, who is hereby authorized to investigate and, if they deem appropriate, initiate legal or other action to remedy any violation of this chapter.
 - The City has the authority to issue administrative citations and to order injunctive relief including reinstatement, restitution, payment of back wages, or other forms of relief.
 - The City may, in the exercise of its authority and performance of its functions and services, agree to participate jointly or in cooperation with Washington State, or any county, city, town, or other incorporated place, or subdivision thereof, or engage outside counsel, to enforce this chapter.
 - The remedies and penalties provided under this chapter are cumulative and are not intended to be exclusive of any other available remedies or penalties, including existing remedies for enforcement of Olympia Municipal Code chapters.
 - The statute of limitations for any enforcement action shall be three (3) years.
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Initiative Language – Medium Employer

Miscellaneous.

- Nothing in this chapter shall be construed to discourage or prohibit the employer from the adoption or retention of policies more generous than the ones required herein.
- Nothing in this chapter shall be construed as diminishing the obligation of the employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous policies to an employee than required herein.
- Except as to the minimum wage, the requirements of this chapter shall not apply to any employees covered by a bona fide collective bargaining agreement to the extent that such requirements are expressly waived in the collective bargaining agreement, or in an addendum to an existing agreement including an agreement that is open for negotiation, in clear and unambiguous terms and the employees have ratified an alternative structure to meet the public policy goals of this chapter.



Initiative Language – Medium Employer

Other Legal Requirements.

Section 3. Rulemaking.

Within 120 days after the effective date, the City must adopt rules and procedures to implement and ensure compliance with this chapter, which shall require employers to maintain adequate records and to annually certify compliance with this chapter. The City must seek feedback from worker organizations and employers before finalizing the rules and procedures.

Section 6. Effective Date.

If this ordinance is enacted during a November general election, it shall take effect on January 1 of the immediately following year. If this ordinance is enacted at a different time, it shall take effect 60 days after the election.

Large Employer

“Large Employer” means an employer that employs more than 500 employees, regardless of where those employees are employed, including all franchisees associated with a franchisor or network franchises with franchisees that employ more than 500 employees in aggregate.

Initiative Language – Large Employer

Giving workers the right to fair scheduling so they can plan their lives and family budgets.

- At time of hire or during employment, an employee may identify any limitations or changes in work schedule availability. The employee has the right to request not to be scheduled for work shifts during certain times or at certain locations and the right to identify preferences for the hours or locations of work. All employers are encouraged to accommodate employee requests to the greatest extent possible.



Initiative Language – Large Employer

Giving workers the right to fair scheduling so they can plan their lives and family budgets.

- Large employers shall provide their employees with a written work schedule at least 14 calendar days before the first day of the work scheduling period. The employer shall post the written work schedule in a conspicuous and accessible location at the workplace, in English and in the primary language(s) of the employee(s) at the workplace.
 - Large employers shall notify the employee of any employer-requested change to the work schedule as soon as possible.
 - An employee of a large employer may decline a work shift for which they received less than 14 days advanced notice. If the employee consents to work such a shift, the employee shall be entitled to an unfair scheduling payment equal to one hour of pay at the employee's regular rate of pay for each shift worked with less than 14 days advanced notice.
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Initiative Language – Large Employer

Giving workers the right to fair scheduling so they can plan their lives and family budgets.

- An employee of a large employer may decline a shift that begins less than ten hours after the end of a previous work shift. If the employee consents to work such a shift, the employee shall be entitled to an unfair scheduling payment equal to one half of the employee's regular rate of pay for each hour the employee works which is less than ten hours after the end of the previous shift.



Initiative Language – Large Employer

Part-Time Employees Shall Have Fair Access to Additional Hours.

- Before hiring additional employees or subcontractors, including hiring through the use of temporary services or staffing agencies, **large and medium employers** must (1) offer additional hours of work to existing employees who, in the employers good faith and reasonable judgment, have the skills and experience to perform the work, (2) notify all such employees when additional hours are available, and (3) use a reasonable, transparent, and non-discriminatory process to distribute the hours of work among those existing employees. This requirement applies even if the number of additional hours is more than any one existing employee can work and hours must be distributed among multiple existing employees.
 - This section shall not be construed to require any employer to offer an employee work hours if the employer would be required to compensate the employee at time-and-a-half, an unfair scheduling payment or other penalty under this chapter, or other premium rate under any law or collective bargaining agreement, nor to prohibit any employer from offering such work hours.
 - This section takes effect 90 days after the effective date.
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Initiative Language – Large Employer

Large Employers Shall Pay Minimum Wages Comparable to Other Puget Sound Cities.

- Upon the effective date, the minimum wage for every employee in the City of Olympia is increased from that set by the state minimum wage to the higher City of Olympia minimum wage established in this ordinance.
- Upon the effective date, every **large employer** must pay to each employee an hourly wage of at least twenty dollars (\$20.00) per hour.
- The minimum wage established under .040(B) shall stay in effect until the end of the calendar year in which it becomes effective. On January 1 of the next calendar year, and each January 1 thereafter, the hourly minimum wage must increase by the annual rate of inflation to maintain employee purchasing power.



Initiative Language – Large Employer

Coverage and Employer Classifications.

- Employer classification for a calendar year will be calculated based upon the average number of employees during all weeks in the previous calendar year in which the employer had at least one employee. For employers that did not have any employees during the previous calendar year, classification will be based upon the average number of employees during the most recent three months of the current year. In this determination, all employees will be counted, regardless of their location, and including employees who worked in full-time employment, part-time employment, joint employment, temporary employment, or through the services of a temporary services or staffing agency or similar entity.
- For the purposes of employer classification, separate entities will be considered a single employer if they form an integrated enterprise or are under joint control by one of those entities or a separate entity. The factors to consider in making this assessment include but are not limited to: (1) degree of interrelation between the operations of multiple entities; (2) degree to which entities share common management; (3) centralized control of labor relations; and (4) degree of common ownership or financial control over the entities.



Initiative Language – Large Employer

Protecting workers through safety planning and precautions.

- Every **large employer** must create a workplace safety plan to protect workers and consumers in the event of violence or natural disaster, pursuant to this section
- Every **large employer** must consult with workers in developing the workplace safety plan or to update the existing plan to comply with the requirements of this section. The employer shall have discretion about the content of the plan, provided the plan must meet and the large employer must comply with the following minimum safety standards:
 - **Large employers** must protect workers in isolated or dangerous areas by providing them access to panic buttons installed in such areas or that are worn by the worker.
 - **Large employers** must establish and document at least an annual training or drill of an evacuation plan to be used in the event of violence or natural disaster.
 - **Large employers** must protect employees from injury by establishing and maintaining a safe staffing level for workplaces containing over 15,000 square feet of retail space.



Initiative Language – Large Employer

Protecting workers through safety planning and precautions.

- **Large employers** covered by a collective bargaining agreement must seek input from the employees' union on the workplace safety plan, notify the union of training or drill schedules and allow a union representative to participate.
- If a **large employer** fails to meet the requirements of this section, it shall be a violation of this chapter, and the large employer must pay each of its employees a hazardous workplace premium in an amount set by rulemaking until violation is corrected.



Initiative Language – Large Employer

Retaliation Prohibited.

- No employer or any other person shall interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected by this chapter.
- No employer or any other person shall take any adverse action against any person because the person has exercised in good faith the rights under this chapter, including but not limited to claiming the minimum wage, unfair scheduling payment, or unsafe conditions premiums to which they are entitled under this chapter, or participating in the workplace safety planning under this chapter.
- For the purpose of this section, an adverse action means any action taken by a person that would dissuade a reasonable person from exercising any right protected under this chapter.



Initiative Language – Large Employer

Enforcement.

- The City is authorized to implement and enforce this chapter, including promulgating regulations. Any regulations the City promulgates shall have the force and effect of law and may be relied on to determine rights and responsibilities under this chapter.
- Any person or class of persons that suffers financial injury as a result of a violation of this chapter or is the subject of prohibited retaliation under this chapter, or any other individual or entity acting on their behalf, may bring a civil action in a court of competent jurisdiction against the employer or other person violating this chapter...For purposes of this section, an aggrieved party means an employee or other person who suffers tangible or intangible harm due to an employer or other person's violation of this chapter.



Initiative Language – Large Employer

Enforcement.

- If the employer is found to have committed violations of this chapter, the City, or court of competent jurisdiction on behalf of the City, shall assess a fine in the amounts set forth below adjusted for inflation from the effective date:

Failure to pay an employee an unfair scheduling payment.	\$500 per failure.
Failure to offer additional hours of work to existing employees	\$500 per failure.
Failure to provide employees with written notice of rights	\$500
Failure to provide employees with written notice of rights	\$1,000 to \$5,000 per aggrieved party



Initiative Language – Large Employer

Enforcement.

- Each employer must retain records as required by RCW 49.46.070, as well as such information as the City may require to confirm compliance with this chapter. If an employer fails to retain such records, there shall be a presumption, rebuttable by clear and convincing evidence, that the employer violated this chapter for the period and for each employee for whom records were not retained.
- Employers must permit authorized City representatives access to work sites and relevant records for the purpose of monitoring compliance with the chapter and investigating complaints of noncompliance, including production for inspection and copying of employment records. The City may designate representatives, including city contractors and representatives of unions or worker advocacy organizations, to access the worksite and relevant records.



Initiative Language – Large Employer

Enforcement.

- Complaints that any provision of this chapter has been violated may also be presented to the City Attorney, who is hereby authorized to investigate and, if they deem appropriate, initiate legal or other action to remedy any violation of this chapter.
- The City has the authority to issue administrative citations and to order injunctive relief including reinstatement, restitution, payment of back wages, or other forms of relief.
- The City may, in the exercise of its authority and performance of its functions and services, agree to participate jointly or in cooperation with Washington State, or any county, city, town, or other incorporated place, or subdivision thereof, or engage outside counsel, to enforce this chapter.
- The remedies and penalties provided under this chapter are cumulative and are not intended to be exclusive of any other available remedies or penalties, including existing remedies for enforcement of Olympia Municipal Code chapters.
- The statute of limitations for any enforcement action shall be three (3) years.



Initiative Language – Large Employer

Miscellaneous.

- Nothing in this chapter shall be construed to discourage or prohibit the employer from the adoption or retention of policies more generous than the ones required herein.
- Nothing in this chapter shall be construed as diminishing the obligation of the employer to comply with any contract, collective bargaining agreement, employment benefit plan, or other agreement providing more generous policies to an employee than required herein.
- Except as to the minimum wage, the requirements of this chapter shall not apply to any employees covered by a bona fide collective bargaining agreement to the extent that such requirements are expressly waived in the collective bargaining agreement, or in an addendum to an existing agreement including an agreement that is open for negotiation, in clear and unambiguous terms and the employees have ratified an alternative structure to meet the public policy goals of this chapter.



Initiative Language – Large Employer

Other Legal Requirements.

Section 3. Rulemaking.

Within 120 days after the effective date, the City must adopt rules and procedures to implement and ensure compliance with this chapter, which shall require employers to maintain adequate records and to annually certify compliance with this chapter. The City must seek feedback from worker organizations and employers before finalizing the rules and procedures.

Section 6. Effective Date.

If this ordinance is enacted during a November general election, it shall take effect on January 1 of the immediately following year. If this ordinance is enacted at a different time, it shall take effect 60 days after the election.

City Council Action

RCW 35.17.260 provides that a proposed initiative ordinance signed by sufficient registered voters in the city shall either be passed by the legislative body without alteration within 20 days after the county auditor's certificate of sufficiency has been received or shall cause an election to be held as provided in RCW 29A.04.330 for submission of the proposed ordinance without alteration, to a vote of the people.



City Council Action

Options:

- Move to approve a Resolution Enacting the Workers' Bill of Rights Initiative Ordinance Concerning Labor Standards for Certain Employees as part of the Olympia Municipal Code.
- Move to approve a Resolution Sending the Proposed Workers' Bill of Rights Initiative Ordinance Concerning Labor Standards for Certain Employees to the ballot for a vote by the people.

