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HOUSE BILL 1824

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State of Washington

62nd Legislature

2011 Regular Session

By Representatives Condotta, Shea, and Warnick

Read first time 02/03/11. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to exempting certain employees in the  
2 transportation industry who work in armored vehicles from meal and rest  
3 period requirements; adding a new section to chapter 49.12 RCW; and  
4 creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature recognizes the importance of  
7 providing employees with meal and rest periods and compensating  
8 employees for all hours worked. The legislature further recognizes,  
9 however, that there are certain industries where an employer cannot  
10 relieve an employee of all duties during a meal or rest period because  
11 the risk of harm to the employee and the public is too great. The  
12 armored vehicle industry is one of these industries where it is  
13 impossible for employers to comply with the meal and rest period  
14 requirements, as currently interpreted by Washington courts. Armored  
15 vehicles are frequent targets of armed robberies and the risk of harm  
16 to the public and the armored vehicle employees are increased when the  
17 vehicles stay stationary for long periods of time. In order to promote  
18 safety and security, it is important that armored vehicle employees  
19 remain vigilant at all times. The employment conditions of the armored

1 vehicle industry are unique and require a specific statutory treatment.  
2 It is the intent of the legislature to exempt these employers from the  
3 meal and rest period requirements so long as employees are fully  
4 compensated for all hours worked.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.12 RCW  
6 to read as follows:

7 (1) Employers are not required to meet the meal and rest period  
8 requirements under rules adopted by the department under this chapter  
9 for employees in the transportation industry whose work places the  
10 employee inside an armored vehicle in shifts during a workday.  
11 Employers are not required to relieve these employees of all duty and  
12 may require them to be vigilant for the protection of themselves and  
13 the public. Employers shall, however, allow these employees to eat and  
14 take reasonable rest periods while on duty, with pay.

15 (2) The exemption in subsection (1) of this section does not modify  
16 an employer's responsibility to compensate employees for all hours  
17 worked, to pay overtime compensation required under RCW 49.46.130, or  
18 to comply with all other applicable requirements.

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