
SUBSTITUTE SENATE BILL 5233

State of Washington

65th Legislature

2017 Regular Session

By Senate Commerce, Labor & Sports (originally sponsored by Senators Mullet, Palumbo, Rivers, and Wilson)

1 AN ACT Relating to defining the independent contractor status of
2 certain interpreters and translators; adding a new section to chapter
3 50.04 RCW; and adding a new section to chapter 51.12 RCW.

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

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 50.04
6 RCW to read as follows:

7 Except for agents or brokers subject to RCW 50.44.010, 50.44.020,
8 50.44.030, and 50.50.010, the term "employment" shall not include
9 services performed by a language translator or interpreter that are
10 provided for others through an agent or broker.

11 NEW SECTION. **Sec. 2.** A new section is added to chapter 51.12
12 RCW to read as follows:

13 (1) For the purposes of this title, any individual performing
14 interpreting or translation services for remuneration under an
15 independent contract with a language service company is not a worker,
16 and is not included within the mandatory coverage of this title.

17 (2) For the purposes of this section:

18 (a) "Language service company" means an entity that is engaged in
19 the business of: Offering the services of one or more individuals to
20 perform professional interpreting or translation services for a third

1 party; providing associated billing and fee collection services; and
2 providing background or reference information required to facilitate
3 delivery of the services.

4 (b) The individual performing the interpreting or translation
5 services must perform such interpreting and translation services
6 pursuant to a written independent contract setting forth, among other
7 terms, billing and payment terms, and that the interpreting or
8 translation services must be performed according to the provider's
9 own means and methods.

10 (3) This section does not apply to individuals performing
11 interpreting or translation services pursuant to an employment
12 agreement.

13 (4) This section does not exempt a language service company from
14 audits performed pursuant to RCW 51.48.040.

15 (5) Notwithstanding the provisions of this section, an individual
16 exempted under this section may elect coverage in the manner provided
17 by RCW 51.32.030.

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