
SENATE BILL 5463

State of Washington

61st Legislature

2009 Regular Session

By Senators Holmquist, Hewitt, King, Honeyford, Pflug, Roach, Delvin, Stevens, Schoesler, and Swecker

Read first time 01/22/09. Referred to Committee on Labor, Commerce & Consumer Protection.

1 AN ACT Relating to minimum wage and overtime compensation
2 complaints; and adding a new section to chapter 49.46 RCW.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 49.46 RCW
5 to read as follows:

6 (1) In any action based on any act or omission occurring on or
7 after the effective date of this section, an employer is not subject to
8 liability or penalty for the failure of the employer to pay minimum
9 wages or overtime compensation under this title if the employer
10 establishes that the act or omission complained of was in good faith
11 conformity with and reliance on:

12 (a) A rule related to any wage payment requirement;

13 (b) A written order, ruling, approval, opinion, advice,
14 determination, or interpretation of the director; or

15 (c) An interpretive or administrative policy issued by the
16 department.

17 (2) The defense described in subsection (1) of this section, if
18 established, is a bar to the action, notwithstanding that after the act
19 or omission, the order, ruling, approval, opinion, advice,

1 determination, or interpretation, or interpretive or administrative
2 policy of the department is modified or rescinded or is determined by
3 judicial authority to be invalid or of no legal effect.

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