CERTIFICATION OF ENROLLMENT

SECOND SUBSTITUTE HOUSE BILL 1524

Chapter 47, Laws of 2025

69th Legislature 2025 Regular Session

ISOLATED EMPLOYEES—WORKPLACE STANDARDS

EFFECTIVE DATE: January 1, 2026

Passed by the House March 5, 2025 Yeas 86 Nays 10

LAURIE JINKINS

Speaker of the House of Representatives

Passed by the Senate April 4, 2025 Yeas 37 Nays 12

DENNY HECK

Approved April 16, 2025 10:10 AM

President of the Senate

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SECOND SUBSTITUTE** HOUSE BILL 1524 as passed by the House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

April 16, 2025

BOB FERGUSON

Governor of the State of Washington

Secretary of State State of Washington

SECOND SUBSTITUTE HOUSE BILL 1524

Passed Legislature - 2025 Regular Session

State of Washington 69th Legislature 2025 Regular Session

By House Appropriations (originally sponsored by Representatives Obras, Scott, Fosse, Hill, Gregerson, Reed, Berry, Parshley, Salahuddin, Peterson, Simmons, Ormsby, Macri, and Pollet)

READ FIRST TIME 02/28/25.

- AN ACT Relating to ensuring compliance with and enforcement of certain workplace standards and requirements applicable to employers of isolated employees; amending RCW 49.60.515; creating a new section; prescribing penalties; and providing an effective date.
- 5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:
- 6 **Sec. 1.** RCW 49.60.515 and 2019 c 392 s 1 are each amended to read as follows:
- 8 (1) Every hotel, motel, retail, or security guard entity, or 9 property services contractor, who employs an <u>isolated</u> employee, must:
- 10 (a) Adopt a sexual harassment policy;
- 11 (b) Provide mandatory training to the employer's managers, 12 supervisors, and isolated employees to:
- 13 (i) Prevent sexual assault and sexual harassment in the 14 workplace;
- 15 (ii) Prevent sexual discrimination in the workplace; ((and))
- 16 (iii) Educate the employer's workforce regarding protection for 17 <u>isolated</u> employees who report violations of a state or federal law, 18 rule, or regulation; and
- (iv) Inform isolated employees on how to use panic buttons, and inform managers and supervisors on the responsibility to respond to

(c) Provide a list of resources for the employer's <u>isolated</u> employees to utilize. At a minimum, the resources must include contact information of the equal employment opportunity commission, the Washington state human rights commission, and local advocacy groups focused on preventing sexual harassment and sexual assault; ((and))

- (d) Provide a panic button to each <u>isolated</u> employee. <u>An employer</u> <u>must maintain a record of the purchase and utilization of panic buttons provided to its isolated employees under this section. Records must be provided to the department upon request. The department must publish advice and guidance for employers with fifty or fewer employees relating to this subsection (1)(d). This subsection (1)(d) does not apply to contracted security guard companies licensed under chapter 18.170 RCW; and</u>
- (e) Document completion of the mandatory training required by
 this subsection and provide the documentation to the department upon
 request.
 - (2) (a) A property services contractor shall submit the following to the department on an annual basis on a form or in a manner determined by the department:
 - (i) The date of adoption of the sexual harassment policy required in subsection (1)(a) of this section;
 - (ii) The number of managers, supervisors, and <u>isolated</u> employees trained as required by subsection (1)(b) of this section; and
 - (iii) The physical address of the work location or locations at which janitorial services are provided by workers of the property services contractor, and for each location: (A) The total number of workers or contractors of the property services contractor who perform janitorial services; and (B) the total hours worked.
- 30 (b) The department must make aggregate data submitted as required 31 in this subsection (2) available upon request.
- (((c)) The department may adopt rules to implement this subsection 33 (2).
 - (3) (a) The department must investigate if a complaint is filed with the department alleging a violation of this section or if the department has reason to believe that an employer has committed a violation of this section.
- 38 <u>(b) Except when a violation is otherwise resolved, the department</u>
 39 <u>must issue: (i) A citation assessing a civil penalty under (c) of</u>
 40 <u>this subsection if it finds a violation has occurred; or (ii) a</u>

- closure letter detailing any findings if it finds that a violation cannot be substantiated. The notice of a citation or closure letter must be sent to the employer by service of process or using a method by which the mailing can be tracked or the delivery can be confirmed to the last known address.
- 6 (c) If the department finds a violation of this section, the 7 department may order the employer to pay the department a civil penalty of \$1,000 for each willful violation. For a repeat willful 8 violator, the citation assessing a civil penalty must be at least 9 10 \$2,000 for each repeat willful violation, but no greater than \$10,000 for each repeat willful violation. The department may, at any time, 11 12 waive or reduce a civil penalty assessed under this section if the department determines that the employer has taken corrective action 13 to resolve the violation. Penalties collected under this section must 14 15 be deposited into the supplemental pension fund established under RCW 16 51.44.033.
 - (d) An employer who fails to comply with the department's investigation of records within a reasonable time period may not use such records in any appeal to challenge the correctness of any determination by the department.
 - (4) For the purposes of this section:

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- (a) "Department" means the department of labor and industries.
- (b) "((Employee)) <u>Isolated employee</u>" means an ((individual who spends a majority of)) employee who:
- (i) (A) Performs work in an area where two or more coworkers, supervisors, or a combination thereof are unable to immediately respond to an emergency without being summoned by the employee; or (B) spends at least 50 percent of her or his working hours ((alone, or whose primary work responsibility involves working without another coworker present, and who is)) without a supervisor or another coworker present; and
- (ii) Is employed by an employer as a janitor, security guard, hotel or motel housekeeper, or room service attendant.
- (c) "Employer" means any person, association, partnership, property services contractor, or public or private corporation, whether for-profit or not, who employs one or more persons.
- 37 (d) "Panic button" means an emergency contact device carried by
 38 an <u>isolated</u> employee by which the <u>isolated</u> employee may summon
 39 immediate on-scene assistance from another worker, a security guard,
 40 or a representative of the employer.

1 A panic button must:

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- 2 (i) Be designed to be carried by the isolated employee;
- 3 <u>(ii) Be simple to activate without delays caused by entering</u> 4 passwords or waiting for the system to turn on;
- 5 <u>(iii) Provide an effective signal for the circumstances when</u> 6 <u>activated; and</u>
 - (iv) Be able to summon immediate assistance and allow responders to accurately identify the isolated employee's location.
 - (e) "Property services contractor" means any person or entity that employs workers: (i) To perform labor for another person to provide commercial janitorial services; or (ii) on behalf of an employer to provide commercial janitorial services. "Property services contractor" does not mean the employment security department or individuals who perform labor under an agreement for exchanging their own labor or services with each other, provided the work is performed on land owned or leased by the individuals.
 - (f) "Repeat willful violator" means any employer that has been the subject of a final and binding citation for a willful violation of one or more requirements under this section and all applicable rules, within three years of the date of issuance of the most recent citation for a willful violation of one or more requirements.
 - (g) "Security guard" means an individual who is principally employed as, or typically referred to as, a security officer or guard, regardless of whether the individual is employed by a private security company or a single employer or whether the individual is required to be licensed under chapter 18.170 RCW.
 - ((4) (a) Hotels and motels with sixty or more rooms must meet the requirements of this section by January 1, 2020.
- 29 (b) All other employers identified in subsection (1) of this
 30 section must meet the requirements of this section by January 1,
 31 2021.))
- 32 <u>(h) "Willful" means a knowing and intentional action that is</u> 33 <u>neither accidental nor the result of a bona fide dispute.</u>
- 34 (5) The department must adopt rules for purposes of implementing
 35 and enforcing this section including, but not limited to, rules
 36 concerning the collection of civil penalties and establishing the
 37 processes for appeals of citations issued under this section in
 38 accordance with chapter 34.05 RCW.

NEW SECTION. Sec. 3. If specific funding for the purposes of this act, referencing this act by bill or chapter number, is not provided by June 30, 2025, in the omnibus appropriations act, this act is null and void.

Passed by the House March 5, 2025. Passed by the Senate April 4, 2025. Approved by the Governor April 16, 2025. Filed in Office of Secretary of State April 16, 2025.

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