

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1879

69th Legislature
2025 Regular Session

Passed by the House March 4, 2025
Yeas 95 Nays 0

**Speaker of the House of
Representatives**

Passed by the Senate April 8, 2025
Yeas 48 Nays 0

President of the Senate

Approved

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1879** as passed by the House of Representatives and the Senate on the dates hereon set forth.

Chief Clerk

FILED

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1879

Passed Legislature - 2025 Regular Session

State of Washington

69th Legislature

2025 Regular Session

By House Labor & Workplace Standards (originally sponsored by Representatives Thomas, Berry, Doglio, Parshley, Simmons, Cortes, Santos, Fitzgibbon, Ormsby, Scott, Ramel, Hill, Fosse, and Pollet)

READ FIRST TIME 02/20/25.

1 AN ACT Relating to meal and rest breaks for hospital workers;
2 amending RCW 49.12.480; creating a new section; and providing an
3 effective date.

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

5 NEW SECTION. **Sec. 1.** (1) The legislature finds that rest breaks
6 and meal breaks are important for health care workers to provide a
7 safe workplace and safe patient care. The department of labor and
8 industries' rules governing rest breaks and meal breaks were
9 promulgated at a time when work shifts of 10 hours or more were
10 unusual, but these work shifts are now routine in Washington's
11 hospitals and commonly requested by health care workers.

12 (2) The legislature therefore intends to clarify certain aspects
13 of scheduling and taking rest breaks and meal breaks for covered
14 health care workers while fully protecting health care employees'
15 rights to receive all rest breaks and meal breaks to which they are
16 entitled.

17 **Sec. 2.** RCW 49.12.480 and 2023 c 114 s 8 are each amended to
18 read as follows:

19 (1) An employer shall provide employees with meal and rest
20 periods as required by law, subject to the following:

1 (a) Rest periods must be scheduled at any point during each work
2 period during which the employee is required to receive a rest
3 period;

4 (b) Employers must provide employees with uninterrupted meal and
5 rest breaks. This subsection (1)(b) does not apply in the case of:

6 (i) An unforeseeable emergent circumstance, as defined in RCW
7 49.28.130; or

8 (ii) An unforeseeable clinical circumstance, as determined by the
9 employee that may lead to a significant adverse effect on the
10 patient's condition, unless the employer or employer's designee
11 determines that the patient may suffer life-threatening adverse
12 effects;

13 (c) For any work period for which an employee is entitled to one
14 or more meal periods and more than one rest period, the employee and
15 the employer may agree that (~~(a meal period)~~) one or more meal or
16 rest periods may be combined with (~~(a rest period)~~) one or more rest
17 periods. This agreement may be revoked at any time by the employee.
18 If the employee is required to remain on duty during the combined
19 meal and rest period, the time shall be paid. If the employee is
20 released from duty for an uninterrupted combined meal and rest
21 period, the time corresponding to the meal period shall be unpaid,
22 but the time corresponding to the rest period shall be paid.

23 (d) (i) An employer and employee may agree to waive:

24 (A) The meal period, if any, in a work shift of less than eight
25 hours; or

26 (B) The second and/or third meal period in a work shift of eight
27 hours or longer, so long as at least one meal period is provided and
28 taken during the shift.

29 (ii) An employer and employee may also agree to waive otherwise
30 applicable timing requirements for meal and rest periods, so long as
31 the meal period starts no earlier than the third hour worked and no
32 later than the second to last hour scheduled.

33 (iii) Any waiver must be in writing or electronic recordkeeping
34 format. The employer must record the signed waiver in the applicable
35 electronic information management system, and ensure the record is
36 retrievable upon request. The waiver must include a summary of the
37 applicable department rule governing meal and rest periods and advise
38 the employee that the employee may have other rights under the
39 applicable provisions of a collective bargaining agreement if one
40 exists. Any waiver under this subsection (1)(d) must be voluntary,

1 and the employer must expressly advise the employee that it is
2 voluntary. The waiver must be agreed to by the employer and employee
3 in advance of the first shift in which it is relied upon. Any waiver
4 may be revoked at any time by the employer or employee. Where
5 applicable, the written waiver must be submitted on a form agreed to
6 between the employer and the collective bargaining organization for
7 employees it represents.

8 (iv) Employers may inform employees of the meal and rest period
9 waivers typically relied upon by employees on the shifts they are
10 working and may make waivers available to employees, so long as those
11 waivers comply with this subsection (1)(d).

12 (v) A waived meal or rest period does not constitute a missed
13 meal or rest period for purposes of RCW 49.12.483, so long as those
14 waivers comply with this subsection (1)(d).

15 (2)(a) The employer shall provide a mechanism to record when an
16 employee misses a meal or rest period and maintain these records.

17 (b)(i) The employer must provide a quarterly report to the
18 department ~~((of the))~~, including the following for the quarter
19 covered by the report:

20 (A) The total meals and rest periods missed in violation of this
21 section ~~((during the quarter covered by the report, and the))~~;

22 (B) The total number of meal and rest periods waived by an
23 agreement under subsection (1)(d) of this section; and

24 (C) The total number of meals and rest periods required during
25 the quarter. ~~((The reports are))~~

26 (ii) Each quarterly report is due to the department 30 calendar
27 days after the conclusion of the calendar quarter.

28 (c) The provisions of (b) in this subsection (2) do not apply to
29 hospitals defined in RCW 70.41.420(7)(b)(iv) until July 1, 2026.

30 (3) For purposes of this section, the following terms have the
31 following meanings:

32 (a) "Employee" means a person who:

33 (i) Is employed by an employer;

34 (ii) Is involved in direct patient care activities or clinical
35 services; and

36 (iii) Receives an hourly wage or is covered by a collective
37 bargaining agreement.

38 (b) "Employer" means hospitals licensed under chapter 70.41 RCW.

1 NEW SECTION. **Sec. 3.** This act takes effect January 1, 2026.

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