

# Seattle Office of Labor Standards

The City of Seattle created the Office of Labor Standards (OLS) to increase equity and establish a fair and healthy economy for workers, businesses and residents.

## OLS IMPLEMENTS FOUR LABOR STANDARDS ORDINANCES:

### Paid Sick and Safe Time (PSST) – [seattle.gov/psst](http://seattle.gov/psst)

PSST requires employers to provide Seattle workers with paid sick and paid safe time for use when an employee needs to take time off from work for the employee's or family member's illness or a critical safety issue, including domestic violence, sexual assault or stalking.

### Fair Chance Employment (FCE) – [seattle.gov/fairemployment](http://seattle.gov/fairemployment)

FCE<sup>1</sup> restricts how employers can use conviction and arrest records during the hiring process and employment.

### Minimum Wage Ordinance (MWO) – [seattle.gov/minimumwage](http://seattle.gov/minimumwage)

MWO sets the minimum wage in Seattle. It will gradually increase to \$15.00/hour.

### Wage Theft (WTO) – [seattle.gov/wagetheft](http://seattle.gov/wagetheft)

WTO allows OLS to investigate workers' complaints of nonpayment of wages and tips. It also requires employers to provide written notice to employees of their wages, tips, how they get paid and other information.

<sup>1</sup>The Fair Chance Employment Ordinance received a name change from "Job Assistance (JAO)" to "Fair Chance Employment (FCE)" on January 16, 2016.

## WHO IS COVERED?

Our ordinances cover employees working inside Seattle city limits, regardless of their immigration status or the location of the employer.

If your situation does not qualify for investigation by us, we will refer you to another agency for help.

## RETALIATION

An employer cannot retaliate against an employee for:

- Asserting their rights under these laws.
- Filing a complaint with OLS.
- Telling others about their rights.

## OUR SERVICES

- Investigations of complaints.
- Outreach to workers.
- Technical assistance for business.
- Resources and referrals.

Language interpretation, translations and accommodation are available. **All services are free.**



## OFFICE OF LABOR STANDARDS

The mission of OLS is to advance labor standards through thoughtful community and business engagement, strategic enforcement and innovative policy development, with a commitment to race and social justice.

**MORE INFORMATION**  
**(206) 684-4500**

[laborstandards@seattle.gov](mailto:laborstandards@seattle.gov)  
[seattle.gov/laborstandards](http://seattle.gov/laborstandards)

# Paid Sick and Safe Time Ordinance

Seattle’s Paid Sick and Safe Time Ordinance (PSST) requires employers to provide paid sick and safe time for employees. PSST can be used for an employee’s absence from work due to illness, medical appointments, or a critical safety issue.

## EMPLOYERS MUST PROVIDE PAID SICK AND SAFE TIME TO EMPLOYEES

### Employees can use accrued PSST for:

- Caring for themselves or a family member for a physical or mental health condition, including a doctor appointment.
- Caring for themselves or a family member or roommate for reasons related to domestic violence, sexual assault or stalking.
- When their place of business has been closed by order of a public official for health reasons.



THIS ORDINANCE APPLIES TO EMPLOYERS WITH MORE THAN 4 FULL-TIME EQUIVALENT EMPLOYEES (FTES) WORLDWIDE WHO HAVE EMPLOYEES WORKING IN SEATTLE.

ALL EMPLOYEES ARE ELIGIBLE FOR THIS BENEFIT, INCLUDING FULL-TIME, PART-TIME AND TEMPORARY WORKERS.

## EMPLOYER SIZE

BY FULL-TIME EQUIVALENT EMPLOYEES (FTES)

### PSST RATES

ACCURAL OF PSST PER HOURS WORKED

USE OF AND CARRY OVER OF UNUSED PSST (PER BENEFIT YEAR)

	More than 4 and up to 49 FTES	50-249 FTES	250+ FTES
ACCURAL OF PSST PER HOURS WORKED	1 hour per 40 hours	1 hour per 40 hours	1 hour per 30 hours
USE OF AND CARRY OVER OF UNUSED PSST (PER BENEFIT YEAR)	40 hours	56 hours	72 hours <small>*108 hours for employers with PTO</small>

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# Minimum Wage Ordinance

Seattle’s Minimum Wage Ordinance (MWO) sets wages for employees working within city limits. The minimum wage will increase every year on January 1 and eventually rise to \$15.00/hour.

## Minimum Wage: Effective on January 1, 2016

LARGE EMPLOYERS (501+ employees)		SMALL EMPLOYERS (500 or fewer employees)	
Does employer pay towards medical benefits?		Does employer pay \$1.50/hour towards medical benefits and/or does employee earn \$1.50/hour in tips? <sup>1</sup>	
NO	YES	NO	YES
<b>\$13.00/hour</b>	<b>\$12.50/hour</b>	<b>\$12.00/hour</b>	<b>\$10.50/hour</b>

<p><b>EMPLOYER SIZE</b></p> 	<p>To calculate employer size, count the employer’s total number of individual employees worldwide. For franchises, count all employees in the franchise network.</p>
<p><b>MEDICAL BENEFITS</b></p> 	<p>For an employer’s medical benefit payments to count toward an employee’s minimum wage, the employee must be enrolled in a silver-level or higher plan as defined by the federal Affordable Care Act. An employer cannot pay a reduced minimum wage if the employee declines medical benefits or is not eligible for medical benefits.</p>

<sup>1</sup>Small employers with employees earning tips or who make payments toward an employee’s medical benefits can pay no less than \$10.50/hour, as long as the employer guarantees total compensation of \$12.00/hour.

The employer must make up the balance if tips and/or medical benefit payments do not equal at least \$1.50/hour.

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## Wage Theft Ordinance

Seattle's Wage Theft Ordinance (WTO) provides protections against wage theft by establishing basic requirements for payment of wage and tips within city limits. The ordinance requires employers to pay all wages and tips owed to employees, provide written notice to employees, and itemize pay information when employees are paid.

### WAGE THEFT IS NOT RECEIVING FULL PAYMENT FOR WORK

#### Examples of wage theft:

- Not being paid minimum wage.
- Not being paid overtime.
- Not being paid at all.
- Not being paid the amount promised.
- Not being paid tips.
- Not provided paid rest breaks.
- Not provided paid sick and safe time.
- Working off the clock.
- Being misclassified as an independent contractor.
- Not being reimbursed for covering employer's expenses.

#### Employer requirements:

- Provide written notice of employment information at time of hire, change of employment, and to all existing employees by April 1, 2016.

#### Notice includes:

- Employer name and contact information.
- Employee's rate of pay, eligibility to earn overtime, pay basis (hour, shift, day, week, commission), and regular pay day.
- Explanation of employer's tip policy.
- Provide written notice of pay information on paydays.
- Pay all owed compensation owed to employees on a regular payday.

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# Fair Chance Employment Ordinance

Seattle's Fair Chance Employment Ordinance (FCE) restricts how employers can use conviction and arrest records during the hiring process and course of employment within city limits.

## GIVING PEOPLE WITH CONVICTION AND ARREST RECORDS A FAIR CHANCE TO WORK

### THE FAIR CHANCE EMPLOYMENT ORDINANCE (FCE)<sup>1</sup>:

- Prohibits job ads that exclude applicants with conviction and arrest records by using language such as "Felons need not apply", "No criminal background" or "Clean background check".
- Prohibits questions on job applications and background checks about conviction and arrest records until after an employer conducts an initial screening to eliminate unqualified applicants.
- Requires an opportunity for the applicant or employee to explain or correct conviction and arrest information, and for the employer to hold the position open for at least two business days once they have notified the applicant that the employer plans to take an adverse action.
- Requires a legitimate business reason to deny a job based on conduct relating to an arrest, pending criminal charge or conviction record.

<sup>1</sup>The Fair Chance Employment Ordinance received a name change from "Job Assistance (JAO)" to "Fair Chance Employment (FCE)" on January 16, 2016.

### WHY IS FAIR CHANCE EMPLOYMENT IMPORTANT?

Increasing employment opportunities will reduce recidivism, reduce racial disparities in the criminal justice system and strengthen our community.

### CAN AN EMPLOYER CONDUCT A BACKGROUND CHECK ON A JOB APPLICANT?

Yes, but only after the employer has completed an initial screening of applications to eliminate unqualified applicants.

### WHAT ARE THE LIMITS ON USE OF ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS?

An initial screening is a review of an applicant's qualifications to ensure that the applicant has the minimum qualifications necessary for the job.

Depending on the employer's hiring process, an initial screening may be a first review of written applications for minimum qualifications or a conversation with an applicant about their education or work experience.

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