



Minimum Wage and Fair Access to Additional Hours

Tukwila Municipal Code Chapter 5.63

Online Information Session

6/20/23 | 3:00 PM

Today's Topics

- Housekeeping
- Background and Context
- Overview of Requirements
- Minimum Wage
- Fair Access to Additional Hours
- Enforcement
- Next Steps for Employers
- Questions and Answers

Housekeeping

- This session is not being recorded.
- This presentation will be posted on the City's website at:
www.TukwilaWA.gov/MinimumWage
- The purpose of this session is to answer questions that are not of a legal nature. We are not offering legal opinions.
- Please post questions in the chat. We may open the audio for questions if we have time.

Background and Context

- On November 8, 2022, voters in the City of Tukwila approved Initiative Measure No. 1, concerning labor standards for certain employees.
- The measure added Chapter 5.63 and TMC 5.04.113 to the City's municipal code.
- The main effect of Chapter 5.63 on affected employers is to set a minimum wage and ensure fair access to additional hours of work to qualified part-time employees before hiring additional employees, subcontractors, or temporary agencies.

Background and Context

- The initiative required the City to adopt rules and procedures to implement and ensure compliance with the new law within 180 days of its effective date.
- The City posted draft rules and received written comments and held two public comment sessions.
- The Tukwila Labor Standards were adopted on May 24, 2023 and posted on the City's website on May 25, 2023.
- The City can revise and update the rules in the future.

Overview of Requirements

Affected employers are required to:

- 1.** Pay the appropriate minimum wage starting July 1, 2023
- 2.** Provide fair access to available hours of work to qualified, part-time employees
- 3.** Provide notice of Tukwila labor standards to employees
- 4.** Retain records and allow the City to inspect the records
- 5.** Annually certify compliance

Minimum Wages

Minimum Wages in the City of Tukwila Effective 7/1/2023

	Size of Employer		
	<u>Small</u> Fewer than 15 employees AND under \$2 million revenue	<u>Mid-Size</u> 15 to 500 employees OR over \$2 million revenue	<u>Large</u> Over 500 employees and certain franchisees
Hourly Minimum Wage	State	\$16.99	\$18.99

Notes:

- (1) Small employers are not covered by the Tukwila minimum wage but are subject to the State's minimum wage. For 2023 the State's minimum wage is \$15.74.
- (2) Tukwila minimum wage will be adjusted for inflation every January 1.
- (3) The Tukwila minimum wage for mid-size employers will be adjusted to be \$1 less than for large employers on July 1, 2024 and equal to the rate for large employers on July 1, 2025.
- (4) The Tukwila minimum wage for mid-size employers will also adjust for inflation on January 1, 2024

Fair Access to Additional Hours

- Employers must offer additional hours of work to current part-time employees who have the appropriate skills and experience before hiring new employees or subcontractors or hiring through temporary services or staffing agencies.
- Employers must establish a reasonable, transparent, and non-discriminatory process to distribute the hours of work.

Enforcement

- Persons alleging a violation of TMC 5.63, including retaliatory conduct, may bring a civil action against the employer or other person in violation of this chapter.
- The City of Tukwila's Finance Director may deny, suspend, or revoke any license for violations of TMC 5.63. See TMC 5.04.113 for details.
- The complaint form is available at:
www.TukwilaWA.gov/MinimumWage

Next Steps for Employers

- 1.** Employers provide notice to employees by June 30, 2023
- 2.** Minimum wages for affected employers starts July 1, 2023
- 3.** Employers provide 2023 certification to City by January 31, 2024
 - The annual certificate of compliance form is on the City's website at www.TukwilaWa.gov/MinimumWage

Questions and Answers

- Please submit your questions in the chat.
- Questions will be answered by one of the City's attorneys with the law firm of Ogden Murphy Wallace PLLC
 - Karen Sutherland
- Please note the City may not have enough information to provide guidance on certain questions and does not provide legal advice to employers or employees.

Conclusion

- Please submit future questions and suggestions to MinimumWage@TukwilaWA.gov. We may revise the Tukwila Labor Standards or provide additional guidance.
- Check www.TukwilaWA.gov/MinimumWage for additional information and to sign up for notifications.

Thank you for your time.