

**DRAFT MEETING MINUTES  
JANUARY 4, 2007  
EMPLOYMENT LAW ADVISORY COMMITTEE  
TUMWATER L&I, S117**

Attendees:

1. Employment Law Advisory Committee Members: Dan Fazio (WSFB), Kris Tefft (AWB), Doug Smith (Lane Powell), Dave Johnson (WSBCTC) Jeff Johnson (WSLC) Lori Isley (CLS), David Mark (Atty)
2. L & I Staff: Rich Ervin, Suchi Sharma, Janis Kerns, Patricia Kennish, and Carlena Anderson
3. Other Participants:

Agenda Item	Discussion	Action	Due Date
<b>Opening Remarks Introductions</b>	Suchi opened the meeting with a roll call.		
<b>Legislative Review</b>	Farm Labor Contractor Act – Suchi announced that the FLCA bill would not be agency request legislation.		
<b>Payment Interval</b>	It was announced that the rules would be adopted on January 23, 2007 with an effective date of March 1, 2007. Doug Smith suggested that the website be updated to reflect these dates	Web information updated. Rules in effect as of March 1, 2007.	
<b>Family Leave</b>	It was proposed that L&I needed to repeal WAC 296-134 because it was outdated since RCW 49.78 had been revised in 2/06. There was discussion regarding the possibility of the repeal or a possible legislative fix. It was decided to form a sub-committee with a fast track to identify issues and develop a solution-either FAQ's or request legislation. Doug Smith and David Mark agreed to provide participants names for a sub-committee by January 11, 2007.	Subcommittee- Suchi Sharma, Mary Miller, Nancy Anderson (Lane Powell) and Sara Ainsworth (NW Women's Law Center)	
<b>Meal and rest periods</b>	L&I provided the first DRAFT of the meal/rest breaks revisions/clarification. It was brought up that scheduling breaks was a new concept. The confusion with the 3 and 4-hour concept language was discussed and the need to strengthen the voluntary language was suggested. Intermittent breaks and the uninterrupted issue needs to be focused on more. Suchi asked if there was a need for a subcommittee or if they wanted L&I to do more work on it. No subcommittee formed; comments on the draft are due on February 5, 2007.		
<b>Child Labor rules</b>	There were issues with the materials provided for the revisions of WAC 296-125. Mary Miller will send out the draft for		

	any further comment; comments due January 25, 2007.		
<b>Rule-Policy Integration update</b>	On WAC 296-126, Janis introduced format change from subcommittee work. There was discussion regarding the language on camp counselors. Suchi gave the history that the laws were enacted in 1954 to protect women and children, updated in 1963 and 1978 to include all. Options are: 1) repeal and see if there are any comments; 2) update and develop new language, or 3) start working as a group to revise the rules now.		
<b>Wage Payment Act (WPA)</b>	Rich provided a progress report on DOC and NOA's that had been issued under the Wage Payment Act. There was discussion on agreed wage and the scope of the violation needed to determine if it was willful. It was suggested that L&I provide a scenario identifying an agreed wage situation. There is confusion with the term "agreed wage."		
<b>Next Meeting</b>	July 12, 2007 9:30-noon Tukwila Service Location		