



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

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STATE OF WASHINGTON
FILED

DATE: May 21, 2025

TIME: 8:08 AM

WSR 25-11-081

Agency: Department of Labor & Industries (L&I)

Effective date of rule:

Permanent Rules

- ☐ 31 days after filing.
- ☒ Other (specify) July 1, 2025 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- ☐ Yes ☒ No If Yes, explain:

Purpose: L&I is adopting rules to implement Substitute House Bill 1905 (SHB 1905), Chapter 353, Laws of 2024. The bill expands existing protections against pay and promotion discrimination based on gender found in Chapter 49.58 RCW, the Equal Pay and Opportunities Act. SHB 1905 extends the protections to additional protected classes including but not limited to age, race, and sexual orientation. L&I is adopting Chapter 296-123 WAC, Equal Pay and Opportunities, to clarify and implement the provisions of SHB 1905.

L&I is also adopting rules to clarify other requirements created by Chapter 49.58 RCW, including:

- The free discussion of wages and salary;
- Protection against retaliation;
- Wage and salary history privacy; and
- Disclosure of wage scale, salary range, and benefits on a job posting.

The adopted rules explain L&I's enforcement of Chapter 49.58 RCW. The adopted rules also describe L&I's complaint investigation and resolution processes.

SHB 1905 goes into effect on July 1, 2025.

Citation of rules affected by this order:

New: WAC 296-123-010, 296-123-020, 296-123-030, 296-123-040, 296-123-050, 296-123-060, 296-123-070, 296-123-080, 296-123-090, 296-123-100, 296-123-110, and 296-123-120.

Repealed:

Amended:

Suspended:

Statutory authority for adoption: RCW 49.58.090

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 25-03-133 on January 21, 2025 (date).

Describe any changes other than editing from proposed to adopted version: None.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: Reed Simock

Address: Department of Labor & Industries
Fraud Prevention & Labor Standards/Employment Standards
PO Box 44510
Olympia, WA 98504-4510
Phone: 360-480-3237
Fax: 360-902-5300
TTY:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	___	Repealed	___

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	<u>12</u>	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>2</u>	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: May 21, 2025

Name: Joel Sacks

Title: Director

Signature:

