

Chapter 50A.20 RCW
EMPLOYER REQUIREMENTS

Sections

50A.20.010 Employee notice of rights.
50A.20.020 Posting of notice regarding title—Penalties.
50A.20.030 Employer requirements.

RCW 50A.20.010 Employee notice of rights. Whenever an employee of an employer who is qualified for benefits under this title is absent from work to provide family leave, or take medical leave for more than seven consecutive days, the employer shall provide the employee with a written statement of the employee's rights under this title in a form prescribed by the commissioner. The statement must be provided to the employee within five business days after the employee's seventh consecutive day of absence due to family or medical leave, or within five business days after the employer has received notice that the employee's absence is due to family or medical leave, whichever is later. [2019 c 13 s 12; 2017 3rd sp.s. c 5 s 71. Formerly RCW 50A.04.070.]

RCW 50A.20.020 Posting of notice regarding title—Penalties. Each employer shall post and keep posted, in conspicuous places on the premises of the employer where notices to employees and applicants for employment are customarily posted, a notice, to be prepared or approved by the commissioner, setting forth excerpts from, or summaries of, the pertinent provisions of this title and information pertaining to the filing of a complaint. Any employer that willfully violates this section may be subject to a civil penalty of not more than one hundred dollars for each separate offense. Any penalties collected by the department under this section shall be deposited into the family and medical leave enforcement account. [2019 c 13 s 13; 2017 3rd sp.s. c 5 s 75. Formerly RCW 50A.04.075.]

RCW 50A.20.030 Employer requirements. (1) In the form and at the times specified in this title and by the commissioner, an employer shall make reports, furnish information, and collect and remit premiums as required by this title to the department. If the employer is a temporary help company that provides employees on a temporary basis to its customers, the temporary help company is considered the employer for purposes of this section.

(2) (a) An employer must keep at the employer's place of business a record of employment, for a period of six years, from which the information needed by the department for purposes of this title may be obtained. This record shall at all times be open to the inspection of the commissioner.

(b) Information obtained under this title from employer records is confidential and not open to public inspection, other than to public employees in the performance of their official duties. However, an interested party shall be supplied with information from employer records to the extent necessary for the proper presentation of the case in question. An employer may authorize inspection of the employer's records by written consent.

(3) The requirements relating to the collection of family and medical leave premiums are as provided in this title. Before issuing a warning letter, the department shall enforce the collection of premiums through conference and conciliation. These requirements apply to:

(a) An employer that fails under this title to make the required reports, or fails to remit the full amount of the premiums when due;

(b) An employer that willfully makes a false statement or misrepresentation regarding a material fact, or willfully fails to report a material fact, to avoid making the required reports or remitting the full amount of the premiums when due under this title;

(c) A successor in the manner specified in RCW 50A.10.050; and

(d) An officer, member, or owner having control or supervision of payment and/or reporting of family and medical leave premiums, or who is charged with the responsibility for the filing of returns, in the manner specified in RCW 50A.45.010.

(4) Notwithstanding subsection (3) of this section, appeals are governed by RCW 50A.50.010. [2019 c 13 s 14; 2017 3rd sp.s. c 5 s 33. Formerly RCW 50A.04.080.]