Welcome to High Fives with L&I

Brought to you by the Small Business Liaison Office

Washington State Department of Labor & Industries
Some (of the Many) Programs We Administer

- Workers’ compensation insurance
- Employment standards / wage & hour rules
- Workplace health & safety
- Contractor registration
- Electrician & plumber licensing
- Electrical permits
- Elevator permits
- Factory assembled structures
- Prevailing Wage
- Apprenticeships

Keep Washington Safe & Working
High Fives with L&I: Workers’ Compensation & Claims

Brought to you by the Asst. Small Business Liaison, Andrew Bryan (And the number five)

Washington State Department of Labor & Industries
Workers’ Comp High Fives Highlights

1. Independent contractors versus employees
2. Verify tool
3. Adding new risk classes
4. Tips for handling claims
5. Stay at Work program
Independent Contractors

Your contractor may be a covered worker unless they are...

- Free from your direction and control
- In business for themselves
- Have all required business licenses
- Pay state & federal business taxes
- Have multiple clients
- Maintain own books/records

Determination on a case-by-case basis available:
(360) 902-6868 • Determinations@Lni.wa.gov
Verify Tool: Find Rates & More

Find:

- Risk class
- Certificate of coverage
- Workers’ compensation rates
- Account manager contact info

https://secure.lni.wa.gov/verify/
Verify: Account Info, Rates, Certificate

PIRATE HARBOUR OCEAN SHORES LLC
Owner or tradesperson: JAMES EDWARDS
Doing business as: PIRATES COVE PUB & GRILL

PO BOX 2370
OCEAN SHORES, WA 98569

WA UBI No.
603 289 763

Certifications & Endorsements

Workers’ comp

Do you know if the business has employees? If so, verify the business is up-to-date on workers’ comp premiums. Questions about workers’ comp?

L&I Account ID: 265,073-00
Account is current.

L&I account contact:
T3 / MICHAEL RUIZ (866)902-5183 – Email: RUIZ2355@lmi.wa.gov

Workers’ comp rates

Certificate of Workers’ Comp Coverage

Print

WIA UBI No.
L&I Account ID
Legal Business Name
Doing Business As
Workers’ Comp Premium Status
Estimated Workers Reported
Account Representative
Licensed Contractor?

Workers’ Comp Rates

PIRATE HARBOUR OCEAN SHORES LLC, Account no. 265,073-00

2019 experience factor

0.8999

Employer’s claim costs are lower than average.
Past experience factors

Risk classifications

3905-07 Restaurant/Spirits, Beer, Wine

Hourly rate

0.3575

Employee withholding

0.11600

Certificate of Workers’ Compensation Coverage

Department of Labor & Industries

July 23, 2019
Verify the Good, the Bad, the Ugly

Certifications & Endorsements
Workers' comp
Public Works Requirements
Workplace safety and health

Check for any past safety and health violations found on job sites this business was responsible for. Questions about workplace safety and health?

Under appeal. The results of the inspection are being challenged.

Date of appeal 07/03/2019

2019 experience factor 1.0969
Employer’s claim costs are higher than average.
Past experience factors

Risk classifications:
0602-03 Janitorial Cleaning NOC

Hourly rate 1.4133
Employee withholding 0.34980

More information about this business
Employer’s Role During a Claim

Stay Connected!

Employer

Worker

Medical Provider

L&I (Claim Manager)

L&I Return to Work Program

Early Return to Work – Get help offering light duty
www.Lni.wa.gov/ReturnToWorkHelp

• L&I staff will help you create a light duty job approved by doctor

Stay at Work

• Reimbursement incentives to bring your employee back to light duty work

Preferred Worker Program
www.Lni.wa.gov/PreferredWorker  1-800-845-2634

• Financial incentives to hire certified workers with “permanent medical restrictions”
High Fives with L&I: Employment Standards

Brought to you by the Small Business Liaison, Celia Nightingale
1. Equal Pay Act

2. Minimum wage

3. Overtime rules

4. Paid sick leave

5. Isolated worker protections
Equal Pay Act

- Provide equal pay and career advancement opportunities without regard to gender
- Can’t mandate salary/wage secrecy
- Can’t ask for salary history from applicants
- If 15+ employees:
  - New employee: must disclose minimum of salary range upon job offer, if asked
  - Current employee: must disclose full range or expectation, if asked
Washington Minimum Wage

- $13.50/hour in 2020
  - Can pay 85% of MW to 14 & 15 year-olds
- 2021 and each subsequent year rises by inflation rate
- Tips & service charges in addition to wage
- Regional variances:
  - Seattle: $13.50-$16.39
  - SeaTac: $16.09 (hospitality & transportation workers)
Noncompetition Covenants- Effective 1/1/2020

• Can’t restrict outside employment or self-employment unless paid more than 2x minimum wage
  • Other than scheduling or clear conflict of interest
• Non-compete agreements
  • Only allowed with employees paid $100K+ (adjusts with inflation)
  • 18 months maximum
  • Doesn’t affect other agreements, such as nondisclosure, confidentiality, nonsolicitation
• Franchisors can’t restrict their franchisees from recruiting each other’s employees
Overtime

1.5 x hourly wage for hours beyond 40 hours/week

- Must pay overtime unless worker’s position meets a specific exemption in the law
- Most common exemption – “white collar”
  - Duties Test
    - Executive, administrative, professional, outside sales, computer professionals
  - Salary Test
    - Paid a regular salary
    - Paid at least a defined minimum salary
Recent Changes to Overtime Rules

- Federal minimum exempt salary increased to $35,568, effective 1/1/2020
- State minimum exempt salary will increase to 2.5 times minimum wage
  - Increases gradually over period 7/1/2020–1/1/2028
- Impact begins 1/1/2021

<table>
<thead>
<tr>
<th>Effective Date</th>
<th>Minimum Exempt Salary Small Employers (1-50 Employees)</th>
<th>Minimum Exempt Salary Large Employers (51+ Employees)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/1/2020</td>
<td>$35,568 ($684/week)</td>
<td>$35,568 ($684/week)</td>
</tr>
<tr>
<td>1/1/2021</td>
<td>1.5 x minimum wage (~$43,004 or $827/wk)</td>
<td>1.75 x minimum wage (~$50,180, or $965/wk)</td>
</tr>
<tr>
<td>1/1/2022</td>
<td>1.75 x minimum wage (~$51,272 or $986/wk)</td>
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</tbody>
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Paid Sick Leave

• Must provide at least 1 hour of paid sick leave per 40 hours of work
  • = .025 hours of sick leave per 1 hour of work
• Includes part-time and temporary employees
• Accrual begins immediately on hire
  • Can require 90 calendar days for use
• Employees may use for self or family health, child’s school or daycare health-related closures, or absences related to domestic violence
Paid Sick Leave – Notifications & Statements

- Must provide notification of paid sick leave at hire
- Must provide regular statements, at least monthly, including
  - Amount of paid sick leave accrued
  - Amount used
  - Balance remaining
- Must carry over the balance, up to 40 hours, from one year to the next
- Must reinstate balance at rehire, if within a year
Isolated Worker Protections

• Effective Jan. 1, 2020 in the following industries:
  • Hotels, motels, retail, security guard services, and janitorial services

• Employers with isolated workers must:
  • Adopt a sexual harassment policy
  • Provide mandatory training
  • Provide a list of resources for employees to utilize
  • Provide a panic button to each employee
    • (Does not apply to contracted security guard companies)
High Fives with L&I: Safety & Health Business Resources
Safety & Health/Resources Highlights

1. Division of Occupational Safety & Health (DOSH)
2. Accident Prevention Program (APP)
3. Consultation services
4. Customer service
5. Learning opportunities
What’s Wrong With This Picture?
What’s Wrong With This Picture?
Division of Occupational Safety & Health (DOSH)

WISHA (WA Industrial Safety & Health Act) gives L&I the following responsibilities to oversee workplace safety and health in Washington:

- Developing safety and health rules
- Offering free training, safety and health programs, and other resources to help prevent, find, and fix hazards
- Providing no-fee on-site consultations to help employers create safe and healthy workplaces
- Enforcing rules by inspecting worksites for unsafe working conditions
- Investigating safety discrimination complaints & serious incidents

www.Lni.wa.gov/Safety
Employers are required to have an Accident Prevention Program that is:

- Customized for the business
- Written and kept up-to-date
- Communicated to employees at hire and through regular meetings
- Actively practiced

See L&I’s website for:

- Sample programs
- Tips on identifying hazards
- Resources for safety meetings
Consultation is a proactive approach to prevent workplace injuries. Consultants help employers understand and comply with workplace safety and health rules, protect employees, and lower workers’ comp costs.

Four no-fee and confidential consultation services available:

1. Safety
2. Industrial Hygiene
3. Ergonomics
4. Risk Management
Call or schedule a consultation online

- NW Washington 425-290-1369
- King County 206-835-1065
- Pierce County/Olympic Peninsula 253-596-3917
- Southwest Washington 360-575-6951
- Central/Eastern Washington 509-886-6570

Customer Service: No Wrong Door

Front Counter at 19 Regional Offices

Assist you:

- WA Business License Application
- Contractor Registration
- Permits: electrical, food trucks, etc.
- Anything L&I

Office locations: www.Lni.wa.gov/Offices
Online Resources & Transactions

- Electrical licenses or permits
- Certifications: plumber, trainee cards, installers
- Claim filing & status
- Workers’ comp payment
- Contractors & businesses information
- Many more

www.Lni.wa.gov
Scams to Watch Out For

State of Washington Workplace Posters

• Free from each issuing state or federal agency
• Private companies posing as state/federal agencies

Certificate of Status Request Form

• Targets newly registered businesses
• Secretary of State

Report misleading advertisements WA State Office of the Attorney General
L&I Workshop & Training Center

- L&I Essentials for Business
- Other training topics
  - Safety & Health
  - Workers’ Compensation
  - Construction Contractor
- Receive Training Calendar:
  - www.lni.wa.gov.TrainingCalendar

Website: www.lni.wa.gov/Workshops