



# Employer Solutions Law

Washington lawmakers have introduced a wide range of employment-law changes that will take effect in 2025, 2026, and 2027. These updates touch nearly every employer—impacting leave policies, personnel files, job applicant screening, wages in specialized industries, safety protocols for isolated or minor workers, and more.

This summary provides a practical, employer-focused overview of the legislation that will matter most. It is **not a substitute for legal advice**, but it offers a strong foundation for reviewing policies, preparing your teams, and making thoughtful operational decisions.

## Personnel Records and New Damages (HB 1308)

*Effective July 27, 2025*

This law dramatically expands employer obligations around personnel files.

### Required actions

- Provide current or former employees with their full personnel file **within 21 days**—at no cost.
- Respond securely and avoid systems that require the employee to pay for access.
- Provide separation statements upon request.

### Be aware of significant statutory penalties

- \$250 if provided after 21 days
- \$500 after 28 days
- \$1,000 after 35 days
- \$500 for additional violations
- Employees may recover attorney fees and costs.

The law also creates a **private cause of action**, increasing the likelihood of litigation from employees or opportunistic attorneys.

## Washington State Employment Law Statutory Updates: 2025

### Domestic Violence Leave Act (SB 5101)

*Effective January 1, 2026*

The state's Domestic Violence Leave Act (DVLA) has been expanded to provide new protections for victims of hate crimes. Employees affected by hate-crime-related incidents—and their eligible family members—will now be able to take leave or request safety accommodations.

#### Key employer impacts

- DVLA leave now includes matters related to **hate crimes**, including online threats.
- Employees may take leave to obtain healthcare, access social services, receive mental-health support, relocate, or participate in legal proceedings.
- Employers must update leave policies and ensure employees know how to request DVLA leave.
- DVLA leave is generally unpaid but may overlap with PFML.

### Paid Family & Medical Leave Enhancements (SB 1213)

*Effective January 1, 2026*

Washington's PFML program will see important updates that expand employee protections and modify how leave is taken.

#### What changes in 2026?

- **Job protection** extends to employees who have worked at least 180 days, if the employer has 25+ employees.
- Employers must **continue health insurance benefits** while the employee is on protected PFML.
- Minimum claim increments will shrink from **8-hour** blocks to **4-hour** blocks, allowing for more flexibility.



## **Wages at High Hazard Facilities (HB 1173)**

*Effective January 1, 2026*

Applies mainly to **petroleum refineries and petrochemical manufacturing**. Workers who do not meet apprentice or journey-level criteria must still receive wages equivalent to a **skilled journey worker**, increasing cost expectations for covered employers.

## **Working Hours for Minors (HB 1121)**

*Effective July 1, 2026*

Washington must now allow certain 16- and 17-year-olds to work expanded hours **during the school year** if they are enrolled in a career/technical program and working for an approved employer.

This change may increase scheduling flexibility for participating employers while ensuring program-based supervision and alignment.

## **Isolated Employee-Protections (HB 1524)**

*Effective January 1, 2026*

Employers with isolated workers must take additional safety measures, including providing panic buttons and expanded training.

### **Key employer duties**

- Provide a panic button that is easy to activate and can accurately identify the employee’s location.
- Maintain purchasing and usage records and provide them to L&I upon request.
- Train isolated employees on harassment prevention, panic-button use, and supervisory response procedures.
- Be prepared for L&I inspectors to request training and equipment records.

Penalties for violations start at **\$1,000**, with repeat willful violations reaching **\$2,000–\$10,000**.

## **Revocation of Minor Work Permits (HB 1644)**

*Effective July 1, 2026*

L&I must revoke an employer’s minor work permit if:

- A serious, willful, or ongoing safety/health violation results in the **death or serious harm** of a minor; and
- An immediate restraint order was required.

L&I must also conduct a consultation before granting student-learner variances.

## **Fair Chance Expansion Act – “Ban the Box” (HB 1747)**

*Effective July 1, 2026 (employers with 15+ employees)*

*Effective January 1, 2027 (for all employers)*

This is one of the most complex and administratively heavy changes for Washington employers.

### **What employers must do**

- Delay criminal-history inquiries until **after a conditional offer**.
- Avoid adverse action based solely on arrest or juvenile records.
- Establish **legitimate business reasons** for adverse actions involving adult convictions.
- Provide applicants with notice and hold the position open for two business days to allow explanation or correction.
- Issue written, detailed decisions documenting the reasoning behind any adverse action.

### **Penalties**

- \$1,500 for first violation
- \$3,000 for second
- \$15,000 for each subsequent violation

Employers under federal contracts that prohibit hiring individuals with certain criminal records may qualify for exemptions.



## Paid Sick Leave Immigration Proceedings (HB 1875)

*Effective July 27, 2025*

Paid Sick Leave must now be permitted when an employee or their family member participates in **immigration-related proceedings**.

Employers may request documentation—but **must accept a written employee statement** and may not request or record immigration-status information.

## Unemployment Benefits During Strikes & Lockouts (HB 5041)

*Effective January 1, 2026*

This update makes unemployment compensation more accessible during labor disputes.

### Key provisions

- Striking workers may receive up to **six weeks** of unemployment benefits after a short disqualification period.
- Workers impacted by employer lockouts in multi-employer units may receive benefits **with no disqualification period**.
- All claimants remain subject to the one-week waiting period.

If retroactive wages are later paid, the department will issue an overpayment notice.

## Check List: Preparing for 2026

- ✓ Update employee handbooks and internal policies (PFML, DVLA, paid sick leave, personnel files).
- ✓ Review hiring practices and create compliant Fair Chance Act workflows.
- ✓ Train HR and supervisors on expanded obligations.
- ✓ Assess whether any employees qualify as “isolated” under HB 1524 and implement panic-button systems.
- ✓ Review minor-worker roles, schedules, and safety protocols.
- ✓ Prepare for potential records requests and ensure secure, cost-free delivery.
- ✓ Evaluate industry-specific impacts (e.g., refineries, apprenticeship programs).



PROACTIVE

Legal Solutions

FOR EMPLOYERS

Brian Padgett, Managing Attorney

425-644-6142

[www.employersolutionslaw.com](http://www.employersolutionslaw.com)