



Employer
Solutions Law

Newsletter: April

In this issue:

- Wage & hour enforcement trends in Washington
- Free webinar: Navigating a DOSH inspection
- New crane power line eTool—what works and where risk remains
- Forklifts and crane rules—what changed and why it matters

Wage Enforcement Rising Across the State

Wage and hour enforcement in Washington is increasing—and the approach is shifting.

A recent lawsuit filed in King County Superior Court against Dick's Drive-In alleges missed rest breaks, failure to provide required meal periods, unpaid overtime, incomplete final pay, and issues with sick leave. **These claims are not unusual—and that is the concern.**

In 2025, L&I identified over **\$7 million in underpaid wages** and issued more than 1,000 penalties totaling \$2.9 million, while worker complaints have nearly doubled since 2021. At the same time, the Attorney General has launched a Worker's Rights Unit focused on **proactively identifying** systemic issues—not just responding to complaints.

Risk is no longer tied to whether a complaint is filed. Enforcement is increasingly focused on patterns and real-world practices. We continue to see **exposure** in break compliance, timekeeping and overtime, final pay, and sick leave. In many cases, the issue is not policy—it is the **gap between what is written and how things are done in practice.**

If you would like assistance reviewing your current practices or identifying potential risk areas, we are available to help.

Free Webinar

NAVIGATING A DOSH INSPECTION:

Know what to expect and how to respond when DOSH arrives

Be prepared before an inspection happens. Attorney Brian Padgett walks through what to expect, how to respond in real time, and how to **reduce risk, exposure, and disruption** during a DOSH inspection.



Date: Thursday, April 16



Time: 11:00 AM (Pacific Time)



Where: Online – Free to attend

Sign Up

New Crane Powerline eTool

L&I has launched an [eTool](#) to **support compliance** with new crane power line safety requirement. The Tool combines hazard identification, decision-making guidance, control selection, and documentation into a single structured planning process.

From a compliance standpoint, that's a meaningful improvement. It **reduces ambiguity**, standardizes planning, and makes expectations clearer.

On paper it's effective: Used properly, the tool **adds real value**. It drives structured planning—defining work zones, evaluating clearance distances, and identifying controls before work begins. It also creates consistency through a repeatable framework and **generates documentation** that **supports inspections** and claims.

Where we expect employers run into trouble is execution: When the tool is completed once and not updated as conditions change, or used as a check-the-box exercise without aligning to field practices, that's where risk will emerge. If the tool reflects one set of decisions, but the **jobsite operates differently**, it doesn't reduce exposure—it **can increase it**.

The takeaway is straightforward: The [eTool](#) is effective at structuring decisions—but safety depends on whether those decisions are actually carried out in the field.

Is a Forklift a Crane?

Effective September 2025, Washington DOSH clarified how crane safety rules apply to workplace equipment—including forklifts. This is **not a reclassification of forklifts**. It is a change in how certain activities are regulated.

The key shift is simple: **it's not the equipment—it's how it's used**. A forklift moving palletized loads remains subject to standard rules. However, when used to lift a suspended load—with slings, hooks,

or rigging—the activity may be treated as crane work under DOSH regulations.

Crane requirements may apply when forklifts lift rigged materials, hoist loads not secured on forks, use boom or jib attachments, or perform lifts where loads are suspended and guided. These activities may fall under [WAC 296-155 \(Cranes, Rigging, and Personnel Lifting\)](#).

For employers, this means additional requirements—**operator qualifications, compliant rigging, lift planning, and documentation**.

Risk often arises in **routine scenarios**: “quick lifts” using chains or straps, use of attachments without reassessing compliance, and treating all forklift work the same. In these cases, employers may **unknowingly trigger crane standards**.

WISHA/DOSH

L&I Matters

Employment Law

Workers’ Compensation Defense

If you would like receive our Newsletters,
email Anne@EmployerSolutionsLaw.com



The purpose of this newsletter is to provide general information and should not be construed as legal advice. Each situation is unique and legal advice must be tailored to the facts of the specific case or incident. This newsletter is for informational purposes only and is not a solicitation. Privacy is important to us. We will not sell, rent, or give your name or address to anyone. At any point you can select the link at the bottom of this newsletter to unsubscribe, or to receive less or more information.

[Brian Padgett](#) | Brian@EmployerSolutionsLaw.com
www.EmployerSolutionsLaw.com | [425-644-6142](tel:425-644-6142)

Sent to: anne@employersolutionslaw.com

[Unsubscribe](#)

Employer Solutions Law, 2700 Richards Road Suite 201, Bellevue, WA 98005, United States