



November 17, 2015

Honorable Tim Burgess, President  
Seattle City Council  
600 4th Avenue, Floor 2  
Seattle, WA 98104

Dear Council President Burgess:

I am pleased to transmit the attached proposed ordinance, which will help ensure that the City of Seattle's labor standards are enforced with effective procedures. This proposed ordinance will ensure that workers quickly receive compensation owed by their employers when violations occur, and incentivize employers to follow the law and deter them from repeat violations.

The proposed ordinance was originally initiated as a response to City Council's 2015-2016 Statement of Legislative Intent requesting legislation to address wage theft by increasing penalties. Staff in the Mayor's Office and the Office of Labor Standards (OLS) subsequently took the opportunity to make further improvements to our labor standard laws. The goal was to harmonize the City's four labor standards (Paid Sick and Safe Time, Job Assistance Ordinance, Minimum Wage, and Wage Theft) to the extent possible, and reconceptualize how enforcement of these vital laws is conducted by OLS. The resulting proposal before you creates a cutting-edge set of tools and procedures that will ensure that the spirit and letter of these laws are upheld.

This proposal seeks to prevent wage theft from Seattle workers, quickly recover wages owed, allow for investigations that protect identifying information, and facilitate compliance with Seattle's labor standards by: (1) strengthening penalties and enforcement procedures; (2) harmonizing ordinance provisions; (3) adding new definitions and requirements; and (4) creating incentives for employers to resolve investigations quickly to ensure workers receive their owed compensation as soon as administratively possible.

The overall guiding philosophy behind this ordinance was to develop a system that ensures workers receive compensation due to them quickly, and also deter and penalize bad actors while maintaining flexibility of enforcement procedures so that genuine mistakes by employers are not unduly punished. After developing the ordinance – with the initial assistance of U.S. Department of Labor staff – city staff spent dozens of hours meeting with stakeholders representing workers, community groups, and businesses to refine the proposal now before you to ensure that these goals were met.

As an example of this approach, the private right of action which allows employees to seek redress through the courts is structured so that employees at larger companies with greater than 50 employees will have their right to legal action triggered in April 2016. Meanwhile, employees at companies with less than 50 employees will have their right triggered in April 2017. I am proposing this structure to allow the OLS Business Outreach and Education grants to be distributed to business associations and community groups in order to educate these small companies, which typically lack a formal HR or Legal department, so that they are fully aware of their legal obligations before they face the liability created by a private right of action.

In order to ensure that workers in the City of Seattle receive the compensation and benefits our ordinances entitle them to have, I ask you and other members of the Seattle City Council to adopt this ordinance as soon as possible. Thank you for your consideration of this proposal. Should you have questions, please contact David B. Mendoza at (206) 386-1256.

Sincerely,



Edward B. Murray  
Mayor, City of Seattle

Cc: Seattle City Council