

CITY OF SEATTLE
ORDINANCE 126638
COUNCIL BILL 120372

AN ORDINANCE relating to employment in Seattle; amending Sections 100.025, 100.030, and 5 of Ordinance 126274 to establish a new date for ending hazard pay requirements and automatically repealing the ordinance.

WHEREAS, on February 29, 2020, the Washington Governor issued Proclamation 20-05, proclaiming a state of emergency for all counties throughout the state of Washington in response to new cases of Coronavirus Disease 2019 (“COVID-19”); and

WHEREAS, on March 3, 2020, the Mayor proclaimed a civil emergency in response to new cases of COVID-19; and

WHEREAS, on February 3, 2021, The City of Seattle enacted Ordinance 126274 (Hazard Pay for Grocery Employees Ordinance) requiring grocery businesses to provide employees with hazard pay for work performed in Seattle during the COVID-19 emergency; and

WHEREAS, Ordinance 126274 states the intention of the City Council (“Council”) to consider modifying or eliminating hazard pay requirements after four months of implementation and review of the current health, safety, and economic risks of frontline work during the COVID-19 emergency; and

WHEREAS, on March 17, 2021, grocery employees working in Washington State became eligible for COVID-19 vaccinations; and

WHEREAS, on April 15, 2021, all Washington residents 16 years and older became eligible for COVID-19 vaccinations; and

WHEREAS, on May 12, 2021, all Washington residents 12 years and older became eligible for COVID-19 vaccinations; and

1 WHEREAS, on January 11, 2022, all Washington residents five years and older became eligible
2 for COVID-19 vaccinations; and

3 WHEREAS, on June 18, 2022, all Washington residents older than six months became eligible
4 for COVID-19 vaccinations; and

5 WHEREAS, on June 30, 2021, the Washington Governor announced a statewide reopening with
6 a return to full capacity for most public spaces, including grocery and retail stores; and

7 WHEREAS, Public Health—Seattle and King County reported that as of June 20, 2021, 86.2
8 percent of residents five years and older had been fully vaccinated against COVID-19;
9 and

10 WHEREAS, COVID-19 vaccines are highly effective at preventing serious illness,
11 hospitalization, and death from COVID-19; and

12 WHEREAS, the Mayor and Council are committed to developing and collaborating on policies
13 to eliminate racial disparities in public health and to work toward a stronger Seattle; and

14 WHEREAS, the Mayor and Council recognize that the significant protections of COVID-19
15 vaccines and high vaccination rates demonstrate considerable progress toward supporting
16 the health and safety of our frontline workers and the community; NOW, THEREFORE,

17 **BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:**

18 Section 1. Section 100.025 of Ordinance 126274 is amended as follows:

19 **100.025 Hazard pay requirements**

20 * * *

21 C. Employers shall comply with the hazard pay requirements in this Section

22 100.025 (~~for the duration of the civil emergency proclaimed by the Mayor on March 3,~~
23 ~~2020.)) until the effective date of the ordinance introduced as Council Bill 120372.~~

1 Section 2. Section 100.030 of Ordinance 126274 is amended as follows:

2 **100.030 Notice and posting**

3 A. Within 30 days of the effective date of this ordinance, and until one year
4 following the effective date of the ordinance introduced as Council Bill 120372,
5 employers shall display a written notice of rights established by this ordinance in a
6 conspicuous and accessible place at any workplace or job site where any of their
7 employees' work. Employers shall display the notice of rights in English and in the
8 primary language(s) of the employee(s) at the workplace or job site. Employers shall
9 make a good faith effort to determine the primary languages of the employees at the
10 workplace or job site. If display of the notice of rights is not feasible, including situations
11 when the employee works remotely or does not have a regular workplace or job site,
12 employers may solely provide the notice of rights on an individual basis in the
13 employee's primary language in a physical or electronic format that is reasonably
14 conspicuous and accessible.

15 B. The notice of rights shall provide information on:

- 16 1. The right to hazard pay guaranteed by this ordinance;
- 17 2. The right to be protected from retaliation for exercising in good faith the
18 rights protected by this ordinance; and
- 19 3. The right to file a complaint with the Agency or bring a civil action for
20 a violation of the requirements of this ordinance, including an employer's denial of
21 hazard pay as required by this ordinance and an employer or other person's retaliation
22 against an employee or other person for asserting the right to hazard pay or otherwise
23 engaging in an activity protected by this ordinance.

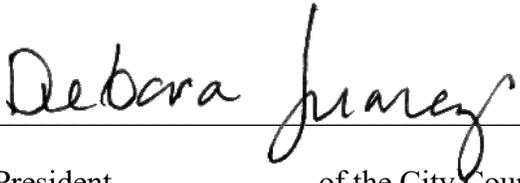
1 C. The Agency may create and distribute a model notice of rights in English and
2 other languages. However, until one year following the effective date of the ordinance
3 introduced as Council Bill 120372, employers are responsible for providing employees
4 with the notice of rights required by subsection 100.030.A and 100.030.B in a form and
5 manner sufficient to inform employees of their rights under this ordinance, regardless of
6 whether the Agency has created and distributed a model notice of rights.

7 Section 3. Section 5 of Ordinance 126274 is amended as follows:

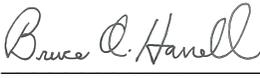
8 Section 5. This ordinance shall be automatically repealed without subsequent
9 Council action three years after (~~(the termination of the civil emergency proclaimed by~~
10 ~~the Mayor on March 3, 2020))~~ the effective date of the ordinance introduced as Council
11 Bill 120372.

1 Section 4. This ordinance shall take effect and be in force 30 days after its approval by
2 the Mayor, but if not approved and returned by the Mayor within ten days after presentation, it
3 shall take effect as provided by Seattle Municipal Code Section 1.04.020.

4 Passed by the City Council the 2nd day of August, 2022,
5 and signed by me in open session in authentication of its passage this 2nd day of
6 August, 2022.

7 
8 President _____ of the City Council

9 Approved / returned unsigned / vetoed this 3rd day of August, 2022.

10 
11 Bruce A. Harrell, Mayor

12 Filed by me this 3rd day of August, 2022.

13 
14 Elizabeth M. Adkisson, Interim City Clerk

15 (Seal)

16 Attachments: