Domestic Worker Ordinance - Amendments

HSLED Committee Briefing
Office of Labor Standards
August 2026

City of Seattle

Agenda

- Introduction
- Domestic Workers Ordinance (SMC 14.23) Context
- Policy Development Process
- Proposed DWO Amendments
- Local and State interaction
- Questions

DWO Background and Overview

Seattle Domestic Worker Ordinance (SMC 14.23), effective July 1, 2019

- Minimum wage
- Meal and paid rest breaks
- Right to keep their personal documents and possessions
- Right to a day of rest for live-in domestic workers
- Retaliation protections including immigration status
- Creation of the Domestic Workers Standards Board (DWSB)

Note: domestic workers may also have other rights under certain Seattle labor standards

Mayor Durkan signing Ordinance 125627, 2018

Policy Development Process

May 2021

DWSB presents recommendations to Council

- Mandate written contracts
- Provide portable paid time off

Oct. 2025

OLS publishes Paid Time Off report (per council directive)

Nov. 2025

DWSB votes on a set of recommendations during public meeting

Mar. 2026

Washington passes **SHB 2355, protection for domestic workers.**

This legislation was in City of Seattle legislative agenda where OLS provided public testimony.

April 2026

OLS, in collaboration with Councilmember Rinck, facilitate two stakeholder sessions

Policy Development – Stakeholder Meetings

- Culmination of years of engagement
- Two stakeholder meetings
  - 40 participants
  - Discussion
    - Written Agreements
    - Retaliation Protection for Time Off
    - Hiring Entity Records
- Research and consultation with other jurisdictions that have similar policies as the amendments

April 6th stakeholder meeting at Casa Latina

DWO Amendments

1. Add definition of “adverse action”
2. Expand worker document protections to align with state law;
3. Add explicit language on retaliation protection for taking permissible time off;
4. Require hiring entities to track and retain payment records;
5. Require advance notice of termination;
6. Require written agreements between hiring entity and domestic worker; and
7. Standardize/align penalties and fees provisions with other Seattle labor standards.

Adverse Action

- Originally defined in Chapter 160 rules → move to ordinance
- Evolution of existing OLS definition to reflect different forms of retaliation
- Add additional immigrant worker protection language from state law

Domestic Worker Documents

Existing law:

Hiring entity shall not keep any domestic workers original documents or other personal effects

Proposed amendment:

Provide additional clarity to align with state language that includes but not limited to “legal documents, forms of identification, passports, or immigration documents”

Retaliation Protections for Taking Permissible Time Off

- Proposed amendments do not mandate additional time off protections
- Domestic workers may still not take time off, even if currently entitled to PSST
- Explicit language in DWO → vehicle to continue to raise awareness of rights and obligations in the domestic worker industry

Records Retention

- Requirement for hiring entities to create and retain records per the written agreement, a standard practice at OLS for the other 15 ordinances
- Not required to affirmatively provide records to OLS
- Consistent with new state law

Termination Notice

- Align with state law
- Notice not required if
  - Termination occurs during an agreed upon probationary period
  - Termination based on good faith believe that the domestic worker engaged in misconduct *(to be defined in rules)*
  - Caused by circumstances outside of the hiring entity's control, including death
  - Both parties agree that needs have significantly changed and cannot be addressed with current position / services
  - Domestic worker becomes unable to fulfill services

Written Agreements

- Include: location, rate of pay, hours, terms of services, applicable time off, worker classification, additional benefits, etc
- 2021 Board recommendation, modeled after new State law, and other jurisdictions, and Seattle's Independent Contractor Protections (ICP)
- Can be printed document, texts, email, etc
- OLS intends to create and distribute model written agreement with built in notice of rights in English and other languages; however, HE not required to use OLS model

OLS Enforcement Code—Remedies

- Fines by violation table standard in OLS's ordinances
- Clearly communicated fines encourage compliance
- Adjusted annually for inflation

Local and State interaction

Local Enforcement

- Office of Labor Standards
- Private right of action
- Funded business and community partners

State

- Department of Labor and Industries (L&I)
- Private right of action

OLS can support Seattle workers not covered under state law but only for the rights OLS has authority to enforce.

Topic	Current Seattle DWO	New State Law (July 1, 2027)	DWO Amendment If Passed - Expands or Aligns with State Law (July 1, 2027)
Written Agreements	Not mandated	Requires written agreement to include: rate of pay and terms of services	Expand Require written agreement and expand to include additional terms of work and worker classification
Hiring Entity Records Retention	Not mandated	Requires hiring entity create and maintain records documenting hours worked, rate of pay, and if applicable, leave time earned and used.	Align/Expand Consistent with State, however, Seattle written agreement may require additional documentation
Retaliation Protections for Time Off	Not mandated	N/A	N/A No retaliation language for taking unpaid time off in state law. Domestic workers that are employees covered under state Paid Sick Leave
Termination Advance Notice	Not mandated	Requires hiring entities provide two-week termination notice (four weeks for live-in)	Align Additional topics to be defined during rulemaking
OLS Enforcement Code	No specific remedies for violations listed	N/A State law requires $1,000 civil penalty to the department	N/A Add specific remedies for each aggrieved party

Thank you & questions