SEATTLE CITY COUNCIL
CENTRAL STAFF

August 5, 2026

M E M O R A N D U M

To: Human Services, Labor, and Economic Development Committee
From: Karina Bull, Analyst
Subject: Council Bill 121266: 2026 Domestic Worker Amendments Ordinance

Introduction and Overview

On August 7, 2026, the Human Services, Labor, and Economic Development Committee (Committee) will discuss Council Bill (CB) 121266, that would amend the Domestic Worker's Ordinance (DWO), codified as Seattle Municipal Code (SMC) 14.23, as follows:

- Establish requirements for written agreements, use of entitled paid and unpaid leave (including explicit prohibition against retaliation for taking permissible time off), advance notice of termination, and records retention; and
- Update remedies and add standard provisions regarding waiver of rights and encouragement of more generous policies.

The amendments reflect the Office of Labor Standards' (OLS's) intention to strengthen domestic worker protections by incorporating (and, in some cases, expanding upon) recent changes in state law and aligning certain provisions with other Seattle labor standards.[1]

This memorandum provides background information, a summary of CB 121266, a description of fiscal impacts, and several policy considerations; and describes next steps.

Background

Domestic workers provide a broad range of paid services to individuals or households in or about private homes, including nannying, house cleaning, home care, gardening, cooking, and household management.

OLS reports that there are an estimated 24,000 to 35,000 domestic workers currently working in King County, with 66 percent identifying as women, 52 percent identifying as people of color, and 36 percent born outside of the United States.[2] Nationally, domestic workers are three times as likely to be living in poverty as other workers and are less likely to have health or retirement benefits.[3] In the Seattle area, domestic workers make less than half the median income in King County; receive SNAP (Supplement Nutrition Assistance Program) benefits at

[1] OLS implements 16 labor standards. Most labor standards have same or similar requirements for certain provisions (e.g., hiring entity records, notice of rights, enforcement, waiver of rights, encouragement of more generous policies).
[2] Paid Time Off for Domestic Workers: A City of Seattle Assessment, Seattle Office of Labor Standards (2025). OLS's findings were based on analysis of census data, union membership, and local field research. See also Haskett, Breon; England, Kim; Profile of Domestic Workers in King County, Washington at a Glance (2024) and Seattle Domestic Workers Coalition Research with Workers and Employers.
[3] Banerjee, Asha; deCourcy Katherine; Moore, Kyle K; and Wolfe, Julia; Domestic Workers Chartbook 2022: A comprehensive look at the demographics, wages, benefits, and poverty rates of the professionals who care for our family members and clean our homes, Economic Policy Institute (November 22,2022).

double the rate of other workers in King County; and are four times more likely to not have health insurance coverage.[4]

Domestic workers hired as employees are excluded from federal worker protection laws, including the National Labor Relations Act and the Occupational Safety and Health Act; and "live-in workers" are excluded from the overtime protections in Fair Labor Standards Acts. Due to their work for individual families, domestic workers are also usually not covered by civil rights laws that require a threshold number of employees (e.g., Civil Rights Act, Americans with Disabilities Act, Age Discrimination in Employment Act), and leave laws (i.e., Family and Medical Leave Act).[5]

In 2018, Seattle became the first local jurisdiction in the country to establish workplace protections for domestic workers.[6] Effective July 1, 2019, the DWO covers all domestic workers in Seattle regardless of worker classification (i.e., employee or independent contractor) or immigration status. OLS implements the DWO through policy development (e.g., rulemaking), outreach, and enforcement of the following requirements:

- Rights to minimum wage, meal periods, paid rest breaks for all domestic workers and a day of rest for live-in workers;
- Prohibitions on hiring entities retaining a domestic worker's original documents or personal effects; and
- Creation of a Domestic Workers Standards Board (DWSB) to make recommendations on ways to further improve domestic worker pay, benefits, and working conditions.

Additionally, Seattle Office for Civil Rights implements Seattle's Fair Employment Ordinance, SMC 14.04, which prohibits employers from discriminating against domestic workers.

In 2021, the City Council passed Resolution 32028 following consideration of DWSB recommendations for overcoming barriers to improving working conditions for domestic workers. The resolution requested OLS to collaborate with community partners to develop policy recommendations for a portable paid time off (PTO) policy for domestic workers. Council also appropriated funds ($500,000) in the 2022 Adopted Budget for this purpose.

In 2025, OLS's response to the resolution identified opportunities for developing domestic worker PTO benefits, including amending the DWO to protect domestic workers from retaliation when taking leave from work and increasing outreach and enforcement of Seattle's Paid Sick and Safe Time (PSST) Ordinance, SMC 14.16, to inform domestic workers and hiring entities of their *existing* rights and obligations.

[4] Paid Time Off for Domestic Workers (2025), *supra* note 2.
[5] Domestic Workers Chartbook 2022 (2022), *supra* note 3.
[6] Currently, other local jurisdictions with domestic worker protections include Chicago, Philadelphia, and Washington D.C.

In early 2026, Washington state passed Substitute House Bill 2355 (SHB 2355), becoming the twelfth state[7] to pass statewide labor protections for domestic workers. Effective July 1, 2027, the state law mirrors some existing DWO protections (e.g., right to minimum wage, prohibition on retaining domestic worker personal effects) and includes additional protections (e.g., written agreement requirement, advance notice of termination).[8] The Washington State Department of Labor & Industries (L&I) will enforce the state law and recently published draft rules.

In spring 2026, OLS gathered community feedback on proposed DWO amendments that would reflect the large body of legislative, policy, and outreach work that has occurred since the passage of the original ordinance, including three DWSB recommendations[9] presented to Committee in April 2026 and alignment with certain provisions in the state law and other Seattle labor standards.

CB 121266 – DWO Amendments Ordinance

CB 121266 proposes a range of DWO amendments that would become effective July 1, 2027, including:

- A requirement that hiring entities provide domestic workers with written agreements;
- A requirement that hiring entities provide domestic workers with access to entitled paid and unpaid leave, including an explicit prohibition on retaliating against a domestic worker for taking permissible time off;
- A requirement that hiring entities provide domestic workers with advance notice of termination;
- A requirement that hiring entities create and retain records;
- An update to OLS's enforcement remedies, including inflation adjustments to civil penalties and the addition of fines; and
- The addition of provisions to prohibit waiver of rights and encourage more generous policies.

Table 1 describes the proposed amendments as compared to existing domestic worker protections in Seattle and state law.

[7] Other states with statewide domestic worker protections include California, Connecticut, Hawaii, Illinois, Massachusetts, Nevada, New Jersey, New Mexico, New York, Oregon, and Virginia.
[8] SHB 2355 has a higher threshold for coverage of domestic workers than Seattle's DWO. SHB 2355 applies to domestic workers who work in a private residence for four or more hours a month; Seattle's DWO does not require a threshold number of hours worked, Notably, both laws do not apply to domestic workers who perform work on a "casual basis" (i.e., work that is irregular, uncertain, and incidental in nature or duration; and is different than the type of paid work in which the worker is customarily engaged).
[9] The DWSB recommended the following amendments to the DWO: (1) mandate written agreements between hiring entities and workers; (2) require hiring entities to maintain records of hours worked; and (3) include anti-retaliation protections for workers who use time off.

Table 1. Description of Proposed Amendments to Seattle Domestic Worker Protections

Issue	Seattle Law	State Law	Proposed Seattle Amendments (Compared to State Law)
Written agreements	No requirement.	Requirement. Hiring entities must provide the domestic worker with a written agreement before the job starts. The written agreement must include the agreed-upon[10] terms for the position or services, rate of pay, and other items as applicable: work schedule, payroll deductions, transportation costs, benefits including sick, vacation, personal, and holiday leave).	(Expand) New requirement for written agreement would meet state conditions and specify additional items. Hiring entities would be required to provide the domestic worker with a written agreement that includes the information required by state law as well as: effective date, hiring entity contact information, work cancellation policy, pay basis and payment schedule, worker classification (i.e., notice of hire as an employee or independent contractor), protocols for reimbursements, and protocols for accessing paid or unpaid leave.[11]
Protection from retaliation for accessing leave benefits	No requirement.	No explicit prohibition. Hiring entities are broadly prohibited from interfering with worker rights.	(Clarify) Explicit prohibition. Hiring entities would be expressly prohibited from retaliating against a worker for taking permissible time off. Existing protections against retaliation would prohibit such interference, but the amendment would unequivocally prohibit it.
Advance notice of termination	No requirement.	Requirement. Hiring entities must provide two-week notice for most domestic workers and a four-week notice for live-in domestic workers in advance of termination, subject to certain exceptions.	(Align) New requirement that would meet state conditions for two-week and four-week advance notice of termination but would include fewer exceptions to reflect differences in coverage of domestic workers under the state and Seattle laws.

[10] State draft rules would require the written agreement to be signed by all parties.

[11] CB 121266 specifies that the terms of acceptance will be clarified in Director's rules.

Issue	Seattle Law	State Law	Proposed Seattle Amendments (Compared to State Law)
Notice of rights to domestic worker	No requirement for hiring entities to provide a notice of rights, but OLS must create a model notice.	Requirement. Hiring entities must provide a domestic worker with a disclosure of rights.	(Align) New requirement would meet state conditions.
Hiring entity records	No requirement.	Requirement. Hiring entities must create and maintain specific records (i.e., hours worked, rate of pay, applicable leave time earned and used); and make such records accessible to the state if a complaint is filed.	(Expand) New requirement would meet state conditions; and permit OLS to request additional records to demonstrate compliance (as is customary with other Seattle labor standards). Hiring entities would be required to retain *all records* documenting compliance *including but not limited to* records listed in state law.
OLS enforcement remedies	OLS civil penalties are set at 2018 rates and adjusted annually to reflect inflation; there are no fines for violations without specific remedies.	(N/A)	(N/A) Updates would adjust civil penalty amounts[12] to reflect inflation; and add a table of fines (as is customary with other Seattle labor standards).
Prohibition on waiver of rights	No provision.	Provision (i.e., domestic workers may not waive rights).	(Align) New provision would align with state law and other Seattle labor standards.
Encouragement of more generous policies	No provision.	Provision.	(Align) New provision would align with state law and other Seattle labor standards.

[12] Penalty and fine amounts would mirror those in OLS's 2026 Adjusted Penalties and Fines (as published on the OLS website and filed with the City Clerk).

The proposed amendments do not include all state-level protections for domestic workers, including the following provisions:

- Prohibitions against monitoring or recording a domestic worker in private living quarters, using the bathroom or similar facility, or engaged in personal activities associated with dressing or changing clothes;
- Prohibitions against monitoring, recording, or interfering with a domestic worker's private communications;
- Prohibitions against requesting, directing, or requiring that a domestic worker agree to a mandatory predispute arbitration clause, a nondisclosure or nondisparagement agreement, or a noncompete agreement.

Enforcement of these provisions is largely covered by existing state laws that authorize civil action and/or criminal prosecution.[13] Additionally, draft state rules stipulate that L&I can enforce these provisions in their administrative capacity. As enforcement of these provisions would likely entail complicated and time-consuming investigations, the proposed amendment package would allow OLS to focus on DWSB priorities and provide time for L&I to develop model enforcement protocols.

Fiscal Impacts

OLS estimates that implementation of this legislation would cost about $9,000 for language access and stakeholder compensation during the rulemaking process. OLS states that this expense will be absorbed within the department's existing budget with no service impacts. For context, OLS has 1.0 FTE (Labor Standards Engagement Specialist) for Domestic Worker Outreach and Engagement and historically has received funding to support the DWSB, including $47,500 ($17,500 non-labor expenses and $30,000 labor expenses for OLS policy staff) in the 2026 Adopted Budget.

[13] See RCW 9.73 authorizing enforcement of right to privacy violations as a gross misdemeanor or by private right of action; RCW 9A.44.115 authorizing enforcement of voyeurism violations as a Class C felony or gross misdemeanor, depending on the nature of the violation; RCW 49.44.211 authorizing enforcement of prohibitions against nondisclosure and nondisparagement agreements that prevent workers from discussing conduct they reasonably believe to be unlawful or against public policy (e.g., wage and hour violations, unlawful harassment) by private right of action; Engrossed Substitute House Bill 1155 (effective June 30, 2027) authorizing enforcement of noncompete agreements by the Attorney General and private right of action; and RCW 49.44.085 authorizing the court to declare terms in employment contracts that waive an employee's right to publicly pursue certain claims (i.e., discrimination, unlawful harassment) as void and unenforceable.

Policy Considerations

1. Payment Disclosures

   Other Seattle labor standards addressing core requirements for fair pay and transparency include three provisions: (1) notice of the terms and conditions of work before the job starts; (2) timely payment of legally required or agreed-upon compensation (whichever is higher); and (3) provision of itemized pay statements every time a worker is paid.[14] The goal of these provisions is to ensure that workers understand the terms of their engagement with a hiring entity, receive full payment in a timely manner, and have sufficient information to determine whether the terms of engagement have been satisfied. Ultimately, these provisions reflect preventative strategies to support fair work practices and prevent wage theft.

   This legislation would establish two of the three provisions: (1) a written agreement with notice of the terms and conditions of work before the job starts; and (2) payment of legally required or agreed-upon compensation according to an established payment schedule (as defined in OLS Director's rules). The legislation would not establish the third provision for payment disclosures.

   Adding a requirement to provide payment disclosures could benefit domestic workers hired as independent contractors (who are not already covered by other labor standards) by allowing them to quickly spot errors in hours worked, deductions, and other aspects of the written agreement. Payment disclosures could also serve as official proof of payment and increase hiring entity accountability. Council may wish to consider requiring regular payment disclosures or requesting OLS to conduct research/community engagement on this issue and report findings and/or submit a legislative proposal to Council.

2. Outreach

   OLS's estimated costs for implementation do not include updates to outreach materials, training events, and other engagement activities to inform the public of amendments. OLS's current bank of DWO resources[15] would need to be revised and translated to help parties understand the amendments and navigate the similarities/differences between state and local law. While OLS reports that document updates could be completed inhouse, other efforts to promote awareness of the amendments (e.g., language access, events, media campaign, search engine optimization) would likely require additional funding for outside services and supplies. Council may wish to consider appropriating funds to OLS for this purpose.

[14] These three provisions are included in Seattle's Wage Theft Ordinance, SMC 14.20 (covering employees); Independent Contractors Protections Ordinance, SMC 14.34 (covering independent contractors performing work for commercial hiring entities); and the App-Based Worker Minimum Payment Ordinance, SMC 8.37 (covering app-based workers performing work for network companies).

[15] See the OLS website for a full list of DWO resources, including a model notice of rights, information booklet, videos, and power point slides.

Next steps

The Committee is scheduled to discuss the legislation at its meetings on August 7 and 21. If Committee members would like to propose any amendments for consideration on August 21, please contact me by 5 p.m. on August 11.

cc: Jasmine Marwaha, Lead Analyst
Lish Whitson, Director
Calvin Chow, Deputy Director