



APPLICABLE TO CURRENTLY EMPLOYED WORKERS

RCW 49.52.060 Authorized Withholding

The provision of RCW 49.52.050 shall not make it unlawful for an employer to withhold or divert any portion of an employee's wages when required or empowered so to do by state or federal law or when a deduction has been expressly authorized in writing in advance by the employee for a lawful purpose accruing to the benefit of such employee nor shall the provisions of RCW 49.52.050 make it unlawful for an employer to withhold deductions for medical, surgical, or hospital care or service, pursuant to any rule or regulation: Provided, that the employer derives no financial benefit from such deduction and the same is openly, clearly and in due course recorded in the employer's books.

APPLICABLE TO TERMINATION (FINAL) WAGES ONLY

RCW 49.48.010 Payment of Wages Due to Employee Ceasing Work to be at End of Pay Period —Exceptions—Authorized Deductions or Withholdings

When any employee shall cease to work for an employer, whether by discharge or by voluntary withdrawal, the wages due him on account of his employment shall be paid to him at the end of the established pay period: *Provided, however,* That this paragraph shall not apply when workers are engaged in an employment that normally involves working for several employers in the same industry interchangeably, and the several employers or some of them cooperate to establish a plan for the weekly payment of wages at a central place or places and in accordance with unified schedule of payday's providing for at least one payday each week; but this subsection shall not apply to any such plan until ten days after notice of their intention to set up such a plan shall have been given to the director of labor and industries by the employers who cooperate to establish the plan; and having once been established, no such plan can be abandoned except after notice of their intention to abandon such plan has been given to the director or labor and industries by the employers intending to abandon the plan: *Provided further,* That the duty to pay an employee forthwith shall not apply if the labor-management agreement under which the employee has been employed provides otherwise.

It shall be unlawful for any employer to withhold or divert any portion of an employee's wages unless the deduction is:

- (1) Required by state or federal law; or
- (2) Specifically agreed upon orally or in writing by the employee and employer; or
- (3) For medical, surgical or hospital care or service, pursuant to any rule or regulation: *Provided, however,* That the deduction is openly, clearly and in due course recorded in the employer's books and records.

Paragraph three of this section shall not be construed to affect the right of any employer or former employer to sue upon or collect any debt owed to said employer or former employer by his employees or former employees.

APPLICABLE TO ALL COVERED WORKERS

RCW 49.46.090(1) Payment of Wages Less Than Chapter Requirements—Employer's Liability

Any employer who pays any employee less than wages to which such employee is entitled under or by virtue of this chapter, shall be liable to such employee affected for the full amount of such wage rate, less any amount actually paid to such employee by the employer, and for costs and such reasonable attorney's fees as may be allowed by the court. Any agreement between such employee and the employer to work for less than such wage rate shall be no defense to such action.

APPLICABLE TO ALL COVERED WORKERS

RCW 49.52.050 Rebates of Wages—False Records—Penalty

Any employer or officer, vice principal or agent of any employer, whether said employer be in private business or an elected public official, who

- (1) Shall collect or receive from any employee a rebate of any part of wages theretofore paid by such employer to such employee; or
- (2) Willfully and with intent to deprive the employee of any part of his wages, shall pay any employee a lower wage than the wage such employer is obligated to pay such employee by any statute, ordinance, or contract; or
- (3) Shall willfully make or cause another to make any false entry in any employer's books or records purporting to show the payment of more wages to an employee than such employee received; or
- (4) Being an employer or a person charged with the duty of keeping any employer's books or records shall willfully fail or cause another to fail to show openly and clearly in due course in such employer's books and records any rebate of or deduction from any employee's wages; or
- (5) Shall willfully receive or accept from any employee any false receipt for wages;

Shall be guilty of a misdemeanor.

APPLICABLE TO TERMINATION (FINAL) WAGES ONLY

WAC 296-126-025 Deductions

Except as otherwise provided by law (*RCW 49.46.090, RCW 49.48.010, RCW 49.52.060**), no employer shall make any deduction from the wage of an employee:

- (1) For any cash shortage, walkout (failure of customer to pay), breakage, or loss of equipment, unless it can be shown that the shortage, walkout, breakage or loss was caused by a dishonest or willful act of the employee.
- (2) For acceptance of a bad check, unless it can be shown that the employee accepted such a check in violation of procedures previously made known to him or her by the employer.
- (3) For any cash shortage from a cash register, drawer or portable depository provided for that purpose, unless the employee has sole access to the cash and has participated in the cash accounting at the beginning of his or her shift and again at the end of said shift. Where a portable cash depository is in use the employer shall provide for periodic withdrawals of cash receipts during the shift to prevent large accumulations of cash.

*(*RCW references inserted for clarification.)*

APPLICABLE TO ALL COVERED WORKERS

WAC 296-126-023 Payment Interval

All wages due shall be paid at no longer than monthly intervals to each employee on established regular pay days. To facilitate bookkeeping, an employer may implement a regular payroll system in which wages from up to seven days before pay day may be withheld from the pay period covered and included in the next pay period.