

Retaliation protections enforced by L&I's Employment Standards program



Workers in Washington State are provided a number of protections through state and federal laws. This is a recap of the key protections from retaliations enforced by the Washington State Department of Labor & Industries as well as other state and federal agencies.

Retaliation protections

The law protects employees from retaliation for exercising their rights under the Minimum Wage Act.

It is also unlawful for your employer to:

- Fail to pay you the state minimum wage.
- Fail to pay overtime owed to you.
- Discipline you for an absence if you requested or used your paid sick leave for any reason allowed by this law.
- Retaliate or take any negative action against you for exercising your rights under Minimum Wage Act such as communicating with L&I about your paid sick leave rights or filing a complaint with L&I.
- Adopt or enforce any policy that counts the use of paid sick leave for authorized purposes as an absence that may lead to or result in discipline against you.

If you have a complaint or suspicion about your employer not providing you with paid sick leave or violating your other rights under the Minimum Wage Act, you can report it to L&I.

Washington Family Care Act

Using paid leave to care for sick family. Employees are entitled to use their choice of any employer provided paid leave to care for: A child with a health condition requiring treatment or supervision; A spouse, parent, parent-in-law, or grandparent with a serious health condition or an emergency health condition; and children 18 years and older with disabilities that make them incapable of self-care.

Employers cannot terminate, demote, suspend, or otherwise retaliate against employees for exercising their right to take leave under the Family Care Act or for filing a complaint under the law.

Domestic Violence Leave

Leave for victims of domestic violence, sexual assault, or stalking. Victims and their family members are allowed to take reasonable leave from work for legal or law enforcement assistance, medical treatment, counseling, relocation, meetings with their crime victim advocate, or to protect their safety.

Employers cannot take any negative action against you because you are an actual or perceived victim of domestic violence, sexual assault or stalking.

Equal Pay and Opportunities Act

Prohibits gender pay discrimination and promotes fairness among workers by addressing business practices that contribute to income disparities between genders. Both employees and job applicants have rights under this law.



Washington State Department of
Labor & Industries

Upon request, foreign language support and formats for persons with disabilities are available. Call 1-800-547-8367. TDD users, call 711. L&I is an equal opportunity employer.

Employers cannot take any adverse action against an employee for discussing wages, filing a complaint, testifying in a proceeding related to the law, or exercising other protected rights granted under the Equal Pay and Opportunities Act. Additionally, employers cannot retaliate against employees who ask about their wages or lack of opportunity for advancement.

Other retaliation protections enforced by L&I:

Your employer cannot prevent or try to prevent you from filing a workplace injury claim — that is called claim suppression.

Questions? Call 1-866-324-3310.

Your employer may not fire you or otherwise discriminate or retaliate against you because you have exercised your workplace safety and health rights, such as:

- Bringing job safety and health concerns to your employer's attention.
- Refusing a dangerous task when certain conditions exist.
- Filing safety and health grievances.
- Filing a complaint about a workplace safety or health hazard with DOSH, OSHA, your local health or fire department or any other appropriate government agency.

Questions? Call 1-800-423-7233.

Retaliation protections enforced by other agencies

Washington State Human Rights Commission

1-800-233-3247 | www.hum.wa.gov

It is also unlawful to engage in employment discrimination because of a person's:

- Opposition to a discriminatory practice
- Presence of any sensory, mental, or physical disability
- Use of a trained dog guide or service animal
- HIV/AIDS and Hepatitis C status
- Race/color
- Creed
- National origin
- Sex (including pregnancy)

- Marital status
- Age (40 or older)
- Sexual orientation, including gender identity
- Honorably discharged veteran or military status
- State employee or health care Whistleblower status

U.S Equal Employment Opportunity Commission

1-800-669-4000 | www.eeoc.gov

Additional federal laws protect you against employment discrimination when it involves:

- Unfair treatment because of your race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.
- Harassment by managers, co-workers, or others in your workplace, because of your race, color, religion, sex (including pregnancy, gender identity, and sexual orientation), national origin, age (40 or older), disability or genetic information.
- Denial of a reasonable workplace accommodation that you need because of your religious beliefs or disability.
- Retaliation because you complained about job discrimination, or assisted with a job discrimination investigation or lawsuit.

U.S. Department of Labor

1-866-487-9243 | www.dol.gov

The U.S. DOL enforces federal minimum wage, overtime pay, recordkeeping, and child labor requirements of the Fair Labor Standards Act.

It also enforces a number of employment standards and worker protections as provided in several immigration related statutes, including the Migrant and Seasonal Agricultural Worker Protection Act.

Questions?

For more information, go to www.Lni.wa.gov/worker-rights, or contact the Employment Standards Program at L&I at 1-866-219-7321 or esgeneral@Lni.wa.gov.