

# Warehouse Employer's Guide to Written Descriptions of Quotas



As a covered warehouse employer, you must provide workers with up-to-date written descriptions of their quota requirements as of July 1, 2024. You must provide workers with written descriptions even if you prefer to use a different name to refer to your quota, such as a “rate” or “production expectation.”

You cannot take adverse action, like disciplining or firing a worker for failing to meet a quota that you didn't properly disclose in writing to the worker.

## Quota information

Written descriptions need to specify the standards you expect workers to meet. This information will vary by employer and their employees, based on your unique business needs and quota structures.

Each written description needs to include:

- All quota expectations for each worker. This should be specific, and include the number of tasks that need to be completed or materials handled within a given time period.
- An explanation of what could happen if the employee fails to meet the quota, such as receiving disciplinary points or write-ups.
- Information on any incentive or bonus program for meeting or exceeding the quota. The description should include the rate(s) that the incentive or bonus is paid and how the rate(s) apply to the quota.

Each written description also needs to inform workers of their warehouse quota rights under the statute ([app.leg.wa.gov/RCW/default.aspx?cite=49.84](http://app.leg.wa.gov/RCW/default.aspx?cite=49.84)) and

rules ([app.leg.wa.gov/WAC/default.aspx?cite=296-136](http://app.leg.wa.gov/WAC/default.aspx?cite=296-136)). This information is the same for all employers. L&I has provided a sample description of rights at the end of this document that you can include in your written descriptions.

## When to provide workers with their quota description

**Hiring and initial quotas:** You need to give workers their written quota descriptions immediately upon hire.

**Changing quotas:** If you change a quota, you need to notify workers of the change verbally or in writing as soon as possible and before they can be subject to the new quota. When changing a quota, you must provide workers with an updated written description within two days.

**Ongoing quotas:** You need to provide workers with a copy of the written description at any time they request one.

**Failure to meet quota:** If taking adverse action against a worker for failure to meet a quota, such as disciplining or firing, you must provide the worker with a copy of the written description for the quota in question.

## Written quota description format

You need to provide the description to workers in writing. You may give the description to workers either electronically or physically.

The description needs to be clear, concise, and easy to read. It should use common words rather than jargon, acronyms, or unnecessary legal language.



## Preferred languages

You need to provide an initial quota written description in the worker's choice of:

- English
- English and the worker's choice of Spanish, Chinese, Vietnamese, Korean, Tagalog, or Russian

Workers can request a description in a different preferred language. When that happens, you have 15 calendar days to provide the description in the requested language.

If you change a quota, you need to provide any updated written description for a new quota in the worker's same language choice within two business days.

## Contact information

Email: [ESWarehouseQuotas@Lni.wa.gov](mailto:ESWarehouseQuotas@Lni.wa.gov)

Phone: 360-902-5316

Online: [Lni.wa.gov/WarehouseQuotas](https://lni.wa.gov/WarehouseQuotas)

# Warehouse quota standards written description

Covered warehouse distribution centers must inform workers of their warehouse quota standards rights. Below is sample language warehouse employers may use to notify workers of their warehouse quota standards rights. Employers do not have to use the exact language below, but they must ensure they include all the required information in their written quota descriptions.

## SAMPLE

### Your Warehouse Quota Rights

As a warehouse worker subject to a quota, you have certain rights under Washington's warehouse quota standards law, RCW 49.84 ([app.leg.wa.gov/RCW/default.aspx?cite=49.84](http://app.leg.wa.gov/RCW/default.aspx?cite=49.84)) and WAC 296-136 ([app.leg.wa.gov/WAC/default.aspx?cite=296-136](http://app.leg.wa.gov/WAC/default.aspx?cite=296-136)).

You have the right to have a quota that includes time for:

- Rest and meal breaks, including reasonable travel time.
- Bathroom use, including reasonable travel time.
- Any work required by your employer that is necessary to do the work subject to a quota, such as clocking in/out.
- Safe and healthful workplace as required by RCW 49.17 and its rules, such as the time to access the tools or safety equipment necessary to safely perform your job duties.

You are also protected from having any adverse action taken against you, such as discipline or firing, if you fail to meet a quota that does not include the required time periods.

You may be entitled to one additional hour of pay at your regular rate of pay for each day a quota results in a missed break.

### Written quota descriptions

You have the right to receive a written description of the quota you're expected to meet. The information included in a description can vary for each employee. Your written description must contain the following information:

- An explanation of your quota, including the number of tasks you need to complete or materials you need to handle within a given time period.
- A description of any adverse action that could happen if you fail to meet the quota.
- A description of pay incentive or other bonuses you could get for meeting or exceeding the quota, and how those bonuses are triggered.

You have the right to an initial written description when you're hired and then a new description every time your quota changes. This description needs to be easy to read and shouldn't have unnecessary legal language. You can receive this description electronically or physically.

You have the right to receive this written description in your preferred language. Your employer must have this description immediately available to you in your choice of English or English and one of the following languages: Spanish, Chinese, Vietnamese, Korean, Tagalog, or Russian. If one of these languages is not your preferred language, you can request your preferred language and your employer has 15 calendar days to provide the description in your requested language.

Whenever your employer changes a quota, they need to give you verbal or written notice **before** the new quota goes into effect. Employers also need to give you an updated written description for the new quota within two business days of the quota change. The updated description needs to be immediately available to you in your choice of:

- English
- English and one of the following languages: Spanish, Chinese, Vietnamese, Korean, Tagalog, or Russian.
- English and another language you have previously requested.

You have the right to receive a written description for a quota if your employer disciplines you for failure to meet the quota. Your employer cannot take adverse action against you for failure to meet a quota that wasn't properly disclosed to you.

### **Asking for records**

You have the right to request copies of any written quota description under which you've worked.

You also have the right to request copies of your personal work speed data and work speed data for similar workers at the same warehouse for the past six months.

Former employees can request copies of their last quota and work speed data for their last six months.

Your employer must provide any requested quota description within two business and work speed data within seven business days, at no cost to you.

### **Retaliation and complaints**

Your employer cannot retaliate against you for exercising any of your warehouse quota rights.

If you believe your employer has violated a right, or retaliated against you for exercising a right, you can file a complaint with L&I. You can file a complaint through L&I's website ([Lni.wa.gov/FileAComplaint](https://lni.wa.gov/FileAComplaint)) or at an L&I office location ([Lni.wa.gov/Offices](https://lni.wa.gov/Offices)).