

About mandatory overtime for certain health care workers



Background

The law prohibits certain health care worker from being required to work overtime in excess of agreed upon, regularly scheduled, shifts. This fact sheet provides covered employees details on who's covered, your rights, and filing a complaint. See [Lni.wa.gov/HLS](https://lni.wa.gov/HLS) for details.

Who's covered

Certain healthcare employees are entitled to mandatory overtime protections if they are working at state-licensed facilities, nursing homes, and selected other facilities.

Employees must meet the below criteria:

- Employed by a covered healthcare facility.
- Involved in direct patient care activities or clinical services.
- Receive an hourly wage or covered by a collective bargaining agreement.
- Are one of the following:
 - Licensed practical nurse, registered nurse, or nursing assistant-certified
 - Surgical technologist
 - Cardiovascular invasive specialist
 - Respiratory care practitioner
 - Diagnostic radiologic technologist

Note: After Jan. 1, 2025, an employee may be covered even if they are not listed here.

Workers' rights under the law

Three types of mandated overtime are prohibited, unless an exception applies:

1. Hours worked in excess of an agreed upon, predetermined, regularly scheduled shift.

2. Exceeding 12 hours worked in a 24-hour period.

3. Exceeding 80 hours worked in a consecutive 14-day period.

Note: There are several times when an employer may lawfully mandate overtime, including when the employer makes "reasonable efforts" to obtain staffing but can't avoid overtime. Learn more at [Lni.wa.gov/HLS](https://lni.wa.gov/HLS), under the "Mandatory Overtime Restrictions" tab.

Filing a complaint

If you feel your meal and rest break rights have been violated, you can file a complaint:

- Online: [Lni.wa.gov/HLS](https://lni.wa.gov/HLS)
- By phone: 360-902-5484
- In person: Visit your nearest L&I office ([Lni.wa.gov/Offices](https://lni.wa.gov/Offices))
- Mail: download, print, complete and mail the HLS complaint form (F700-227-000) to:
 - Washington State Department of Labor & Industries
Healthcare Labor Standards Program
PO Box 44279
Tumwater, WA 98501

In your complaint, be sure to attach any supporting documents or other relevant information.

Note: It is against the law for a business to fire or otherwise retaliate against an employee who exercises a protected right, intends to file a complaint, or has discussed potential violations of their rights. File a complaint if you feel you have been subject to retaliation.

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