

Rights for certain health care workers for hospital staffing complaints



Background

Passed in 2023, Engrossed Second Substitute Senate Bill 5236 clarified labor standards and enforcement regarding hospital staffing. Washington State's Department of Labor & Industries (L&I) and state Department of Health (DOH) partner to implement these new requirements. This fact sheet provides you basic information on coverage, and what to do if you feel your rights are violated. See [Lni.wa.gov/HLS](https://lni.wa.gov/HLS) for details.

About the hospital staffing plan

Starting July 1, 2025, hospitals, including state-operated hospitals, are required to follow staffing plans. Hospital Staffing Committees develop annual staffing plans that consider:

- Patient activity.
- Intensity level.
- Nature of care required.
- Staff experience.

After July 1, 2025, hospitals must report to DOH if they fail to meet 80 percent of the nurse staffing assignments in a month. Starting in 2026, a hospital must file a report two times a year on how well it's following the staffing plan.

Filing a complaint

For health care workers, **submit all complaints regarding patient care coverage during shifts to your Hospital Staffing Committee.** Here's the whole process:

1. **File a complaint with the Hospital Staffing Committee.** The committee has 60 days to review the matter. If the committee does not resolve the issue, then you can file a separate complaint for the next step.

2. **File a complaint with DOH.** The department has up to three weeks to review the matter. DOH handles patient safety cases. For cases involving labor rights, the health department will refer the matter to L&I.
3. **L&I review.** L&I has 60 days to investigate the matter. The agency communicates its findings to DOH. (**NOTE:** *Some hospital staffing complaints may also involve meal and rest break or mandatory overtime issues. A health care worker may file a complaint with L&I directly on these specific complaints.*)
4. **Hospital takes corrective action.** If L&I finds that there has been a violation, the hospital has 45 days to develop a corrective plan. DOH and L&I oversee the hospital response and implementation of the plan.

What to do next

- Review your facility's Hospital Staffing Plan.
- If you have a complaint, file it first with your Hospital Staffing Committee.
- Visit [Lni.wa.gov/HLS](https://lni.wa.gov/HLS) for health care labor rights.
- See more about hospital staffing plans at the Washington State Department of Health, doh.wa.gov.
- Join the Healthcare Labor Standards email distribution list, located at [Lni.wa.gov/HLS](https://lni.wa.gov/HLS).

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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Washington State Department of
Labor & Industries
Healthcare Labor Standards

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