



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: October 01, 2024

TIME: 9:24 AM

WSR 24-20-113

Agency: Department of Labor & Industries (L&I)

Effective date of rule:

Permanent Rules

31 days after filing.

Other (specify) _____ (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

Yes No If Yes, explain:

Purpose: This rulemaking repeals rules relating to subminimum wage certificates issued for the employment of individuals with disabilities at less than the minimum wage under chapter 296-128, Minimum wages, and chapter 296-126, Standards of labor for the protection of the safety, health and welfare of employees for all occupations subject to chapter 49.12 RCW. This rulemaking repeals WAC 296-128-050 through 296-128-090 and amends WAC 296-126-001, 296-126-010, 296-126-015, and 296-126-020 to remove applicable subsections.

This rulemaking is needed to implement RCW 49.46.170(2), enacted under 2021's Engrossed Substitute Senate Bill 5284 (Chapter 97, Laws for 2021), which eliminated L&I's authority to issue any subminimum wage certificates for the employment of individuals with disabilities under RCW 49.12.110 and 49.46.060 as of July 31, 2023.

Citation of rules affected by this order:

New:

Repealed: WAC 296-128-050 through 296-128-090.

Amended: WAC 296-126-001, 296-126-010, 296-126-015, and 296-126-020

Suspended:

Statutory authority for adoption: RCW 49.46.170(2)

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 24-15-125 on July 23, 2024 (date).

Describe any changes other than editing from proposed to adopted version: None

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:

Address:

Phone:

Fax:

TTY:

Email:

Web site:

Other:

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	___	Amended	___	Repealed	___
Federal rules or standards:	New	___	Amended	___	Repealed	___
Recently enacted state statutes:	New	___	Amended	<u>4</u>	Repealed	<u>9</u>

The number of sections adopted at the request of a nongovernmental entity:

New	___	Amended	___	Repealed	___
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The number of sections adopted on the agency's own initiative:

New	___	Amended	___	Repealed	___
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	___	Amended	___	Repealed	___
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The number of sections adopted using:

Negotiated rule making:	New	___	Amended	___	Repealed	___
Pilot rule making:	New	___	Amended	___	Repealed	___
Other alternative rule making:	New	___	Amended	___	Repealed	___

Date Adopted: October 1, 2024

Name: Joel Sacks

Title: Director

Signature:

