



### MEETING SUMMARY

#### **Quotas at Warehouse Distribution Centers**

#### **Second Substitute House Bill (2SHB) 1762 Implementation**

Department of Labor & Industries  
12806 Gateway Drive S., Tukwila, WA 98168  
November 30, 2023, 10:00 a.m. – 12:00 p.m.

#### **Labor & Industries staff attendance:**

Ellen Saline, FPLS Senior Policy Manager  
Allison Drake, DOSH Policy & Stakeholder Engagement Advisor  
Tracy West, DOSH Standards Program Manager  
Teri Neely, DOSH Safety Standards Program Manager  
Rick Goggins, Ergonomist  
Nicole Irby, Ergonomist  
Bridget Osborne, FPLS Administrative Regulations Analyst  
Carmyn Shute, DOSH Administrative Regulations Analyst  
Kyla Richards, Administrative Support Professional  
Brian Templeton, FPLS Employment Standards Program Manager

#### **Organizations represented:**

King County Library System  
Teamsters 174

#### **Summary:**

Allison Drake and Ellen Saline provided a brief overview of the agenda and welcomed our guests.

Bridget Osborne presented on the background, purpose, and gave a summary of the preliminary draft language being considered by Fraud Prevention and Labor Standards Division.

Tracy West presented the preliminary draft language prepared by the Division of Occupational Safety and Health.

DOSH and FPLS staff took questions from guests (see below).

Allison Drake thanked those in attendance and gave an update on the rulemaking next steps. L&I is accepting written comments on the preliminary draft through December 8, 2023. A second draft will be circulated to stakeholders after all feedback is received and reviewed.

Meeting adjourned at 11:20 a.m.

### **Questions / Answers**

Q: When you are picking orders and you have something out of stock and have to wait for a person to restock, will this time be considered against your quota?

A: That is something to consider, thank you.

Q: Fatigue should be considered and accounted for when setting the quota. Someone who has been picking for 8 or 10 hours isn't going to be as fast as when they first started the day. Something should be in the rule that says after 8 hours the quota should be reduced by a percentage.

A: That again is a very good point, thank you.

Q: Should companies use a 3<sup>rd</sup> party to set the quotas? There companies that do that and forcing a company to use a 3<sup>rd</sup> party would be better than the company stacking their own deck. And the layout of the warehouse you are working in should be considered too.

A: We were not aware of the 3<sup>rd</sup> party companies and we can certainly talk about putting that type of information in the rule, thank you.

Q: Could this type of rule be expanded upon to include other industries that are timed to get things done like waste collection drivers or delivery drivers? That could be a public safety issue if vehicles are zipping around trying to meet their quota.

A: Right now we are just considering the statute that we need to implement, L&I has no intention or direction to expand industries right now.

Q: Can this rule be waived if you have a CBA that is equal to or better than this?

A: We would have to closely look at the statute as it is and get back to you on that.

Q: Is there any fear that rolling out this law will cause employers who don't currently have quota's to start?

A: We hadn't considered that, thank you.

Q: You should also take into consideration someone's age and those returning post-injury. A 25 year old moves a lot faster than a 65 year old or someone returning from a back injury.

A: Thank you.

Q: How should or will this be communicated to employees? Is it going to be a sign in the break room or something along those lines?

A: As we said earlier, this is a first draft and we haven't gotten that far yet. That is a good point to start thinking about, thank you.

Q: Most of the time the people getting hurt are the probationary employees, they are injured trying to keep up.

A: Thank you.