



## OFFICE OF LABOR STANDARDS

# Revisions to Rules proposed for City of Seattle Minimum Wage Ordinance

### OLS invites public comments until Feb 28th

The Seattle Office of Labor Standards (OLS) has proposed revisions to Chapter 90 Rules for Seattle's Minimum Wage Ordinance ([SMC 14.19](#)). Members of the public have until Tuesday, February 28 to comment on the proposed rules. The full text of the rules is available at <http://www.seattle.gov/laborstandards/ordinances/minimum-wage>.

Please send comments by email to [karina.bull@seattle.gov](mailto:karina.bull@seattle.gov) or by regular mail to:  
Seattle Office of Labor Standards  
810 Third Ave., Suite 750  
Seattle, WA 98104-1627  
Attn: Karina Bull, Senior Policy Analyst / Minimum Wage Rule Comment

You can also comment by calling 206-684-4536.

The revisions to Chapter 90 Rules reflect [legislation](#) establishing OLS as an independent office, changes resulting from the [Wage Theft Prevention and Harmonization Ordinance of 2015](#), revisions to Washington State's minimum wage law resulting from [Initiative 1433](#), and other requests for clarification from the public.

**Key revisions include:**

- **Employment in Seattle:** Clarifies that the phrase, "... typically based outside of the City working in the City on an occasional basis," means the employee works for an employer outside Seattle city limits for more than 50% of the employee's work hours in a year.
- **Service charges:** Deletes the provision that permits service charges to count as commissions, but clarify that service charges paid to an employee may still count toward Seattle's minimum wage and minimum compensation for the employee's earnings above the state minimum wage, as set forth in [RCW 49.46.020](#).
- **Employers' payments toward individual employee's medical benefits plans:** Clarifies that an employer pays the lower minimum wage allowed by the ordinance only when that employer is paying toward an individual employee's medical plan in which the employee is enrolled and eligible to receive benefits (subject to limited exceptions).
- **Payroll records:** Clarifies that employers must keep records of service charges, tips, payments toward employees' medical benefits, and the actuarial value of medical benefits.
- **Work Study:** Deletes the definition of "work study" because that exemption was removed from the ordinance.

OLS has prepared several documents to help clarify the proposed changes:

- [Chart of Minimum Wage Ordinance Rule Revisions](#)
- [Chart comparing Seattle's minimum wage, PSST and wage theft laws with WA State I-1433](#)

Seattle's Minimum Wage Ordinance went into effect on April 1, 2015. The law sets wages for employees who work within Seattle city limits. For more information, visit <http://www.seattle.gov/laborstandards/ordinances/minimum-wage> or call 206-684-4500.

The City of Seattle is a national leader on wage, labor and workforce practices that enhance equity. The [Office of Labor Standards](#) implements City ordinances on minimum wage, paid sick and safe time, use of arrest and conviction records in employment decisions, wage theft, secure scheduling and other laws that the City may enact in the future.

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