



Legislation Text

File #: 2023-0310, **Version:** 1

Clerk 09/05/2023

AN ORDINANCE establishing an hourly minimum wage for employees of employers in unincorporated King County, employees of certain county contractors, and county employees; amending Ordinance 17909, Section 4, as amended, and K.C.C. 3.18.010, Ordinance 17909, Section 5, as amended, and K.C.C. 3.18.020, and Ordinance 17909, Section 6, as amended, and K.C.C. 3.18.030, adding a new chapter to K.C.C. Title 12, and repealing Ordinance 17909, Section 8, and K.C.C. 3.18.050, Ordinance 17909, Section 9, and K.C.C. 3.18.060, and Ordinance 17909, Section 11, as amended, and K.C.C. 3.18.080, and establishing an effective date.

BE IT ORDAINED BY THE COUNCIL OF KING COUNTY:

SECTION 1. Findings:

A. In 2016, state of Washington voters passed Initiative 1433 to increase the state's minimum wage and have it annually adjusted for inflation. Initiative 1433 also required state of Washington employers to provide paid sick leave to employees. The 2023 minimum wage for Washington state is \$15.74 per hour.

B. According to the 2022 National Low Income Housing Coalition's Out of Reach data, an employee making Washington's minimum wage would have to work 103 hours each week to afford a modest one-bedroom rental home at fair market rent in King County.

C. According to The Self-Sufficiency Standard for Washington State, developed in partnership with the University of Washington's Center for Women's Welfare and the Workforce Development Council of Seattle-

King County, the state's minimum wage is insufficient to meet the basic needs of working families in King County. In 2023, for a dual-income household of two working adults and two school-aged children living in King County and earning the state's minimum wage, the family would fall short on average \$36,442 to meet the basic needs of the household. In other words, both working adults would need to have a minimum wage of \$24.50 per hour to meet the basic needs of the household.

D. In King County, falling short to meet the basic needs of the household disproportionately impacts Black, Indigenous, and People of Color, which are also known as BIPOC, communities. According to 2021 census data, in King County, 23 percent of households earn less than the state's minimum wage, however, for Black households this increases to 46 percent; for Indigenous households it is 42 percent; and for Latinx households it is 32 percent. Moreover, the median household income for King County is \$110,586, which is 109 percent of the Self-Sufficiency Standard for a dual-income household of two working adults and two school-aged children, however, for Black households it is \$57,437, which is 56 percent of the Self-Sufficiency Standard; and for Latinx households it is \$74,357, which is 73 percent of the Self-Sufficiency Standard.

E. RCW 49.46.120, codified by Initiative 1433, declares that the state's minimum standards for wages, paid sick leave, and working conditions are supplementary to local law or ordinance which may be more favorable to employees and therefore the more favorable minimum standards shall be in full force and effect and enforced.

F. In 2013, before Initiative 1433 was adopted by the state of Washington, voters from the City of SeaTac, approved local Proposition 1 that established a minimum wage of \$15.00 per hour and other benefits and rights for employees in the hospitality and transportation industries, including those that were employed in the Seattle-Tacoma International Airport. The city of SeaTac was one of the first local jurisdictions in the country to increase the minimum wage rate. The city of SeaTac's 2023 minimum wage rate is \$19.06 per hour, currently the highest minimum wage rate in the country according to the University of California, Berkeley Labor Center.

G. In 2014, the city of Seattle enacted Ordinance 124490 to increase minimum wage and minimum compensation rates for employees performing work in the city. The city of Seattle's 2023 minimum wage rate for employers with 501 or more employees is \$18.69 per hour.

H. On May 19, 2014, the council adopted Motion 14131 to affirm that it is county policy that a living wage should be paid to county employees and to the employees of persons, businesses, organizations and other entities that receive procurement contracts, tax exemptions or credits, or other financial benefits from the county. Subsequently, on October 6, 2014, the county enacted Ordinance 17909 to require that a living wage be paid to county employees and to the employees of certain county contractors. To avoid conflicts for county employees who work in the city of Seattle and reduce the administrative burden on county contractors, the ordinance followed the city of Seattle's minimum wage ordinance by setting variable living wage rates based on the size (number of employees) of the contractor, and whether health benefits were provided to employees by the contractor. The county's 2023 living wage rate for county employees and contractors with 501 or more employees is \$18.69 per hour.

I. In 2022, voters from the city of Tukwila, approved local Initiative Measure 1 that established a minimum wage equal to the minimum wage rate in the city of SeaTac for employees performing work in the city. As a result, the city of Tukwila's 2023 minimum wage rate is also \$19.06 per hour, currently the highest minimum wage rate in the country.

J. According to the department of local service's 2022 Business Survey, an online survey for the unincorporated King County business community, sixty-seven percent of the respondents supported an increase in the minimum wage, with many respondents saying they already paid employees above the minimum wage or that the owner was the only employee and therefore the business would not be affected by a minimum wage increase.

K. Some employers, particularly small businesses and nonprofit organizations, may have initial difficulty accommodating the increased costs due to the increased minimum wage rate and a gradual phase-in

approach may be beneficial.

L. K.C.C. 2.10.210.B. defines the county's fourteen determinants of equity as the social, economic, geographic, political and physical environment conditions in which people in our county are born, grow, live, work and age that lead to the creation of a fair and just society. Access to the determinants of equity is necessary to have equity for all people and inequities are created when barriers exist that prevent individuals and communities from accessing these conditions and reaching their full potential. Access to jobs that have the ability to make sufficient income for the purchase of basic necessities to support themselves and their families is one of the fourteen county determinants. The council finds that it is necessary for the county to enact policies to ensure the well-being of all residents by ensuring their access to the determinants of equity.

SECTION 2. Ordinance 17909, Section 4, as amended, and K.C.C. 3.18.010 are hereby amended to read as follows:

A. (~~"Actuarial value" means the percentage of total average costs for covered benefits that a health benefits package will cover.~~

~~B.))~~ "Bonuses" means non-discretionary payments in addition to hourly, salary, commission or piece-rate payments paid under an agreement between an employer and employee.

~~((C.))~~ B. "Commissions" means a sum of money paid to an employee upon completion of a task, usually selling a certain amount of goods or services.

~~((D.))~~ C. "Compensation" means wages together with the money paid by an employer towards an individual employee's health benefits plan.

~~((E.))~~ D. "Contract" means a mutually binding legal relationship or any modification thereof obligating the county to pay a contractor one hundred thousand dollars or more to provide professional services, technical services or services, as defined in K.C.C 2.93.030 to, or at the direction of, the county. "Contract" does not include: a contract between a contract-awarding authority and another government or public entity; a contract that the county enters into as the administrator of grants received from a third party; a contract for public

works; an architectural or engineering contract; or a collective bargaining agreement.

~~((F.))~~ E. "Contract-awarding authority" means the county officer, department, commission, employee or board authorized to enter into or to administer contracts on behalf of the county.

~~((G.))~~ F. "Contractor" means any person that enters into a contract with the county, or negotiates the extension of an existing contract with the county, after October 27, 2014, or that is a subcontractor performing services under such a contract.

~~((H.))~~ G. "Division" means the finance and business operations division of the department of executive services.

~~((I.))~~ H. "Director" means the manager of the finance and business operations division of the department of executive services, or the manager's designee.

I. "Employ" means to engage, suffer, or permit to work.

J. "Employee" means any individual employed by an employer, whether on a full-time, part-time, temporary or seasonal basis, including temporary workers, contracted workers, contingent workers, and persons made available to work through a temporary services, staffing, or employment agency or similar entity.

K. "Employer" includes King County and any individual, partnership, association, corporation, business trust, or any entity, person or group of persons, or a successor thereof, that employs another person and includes any such an entity or person acting directly or indirectly in the interest of an employer in relation to an employee. More than one entity may be the "employer" if employment by one employer is not completely disassociated from employment by the other employer if the economic reality of the relationship between the entities and the employee or employees is that of employer and employee. The economic reality of the relationship is to be determined by the circumstances of the whole activity, not a mechanical weighing of relevant factors.

L. "Franchise" means an agreement, express or implied, oral or written, by which:

1. A person is granted the right to engage in the business of offering, selling, or distributing goods or

services under a marketing plan prescribed or suggested in substantial part by the grantor or its affiliate;

2. The operation of the business is substantially associated with a trademark, service mark, trade name, advertising, or other commercial symbol; designating, owned by, or licensed by the grantor or its affiliate; and

3. The person pays, agrees to pay, or is required to pay, directly or indirectly, a franchise fee. The term "franchise fee" is meant to be construed broadly to include any instance in which the grantor or its affiliate derives income or profit from a person who enters into a franchise agreement with the grantor.

M. "Franchisee" means a person to whom a franchise is offered or granted.

N. "Franchisor" means a person who grants a franchise to another person.

~~((L. "Health benefits plan" means a silver or higher level essential health benefits package, as defined in 42 U.S.C. Sec. 18022, or an equivalent plan that is designed to provide benefits that are actuarially equivalent to seventy percent of the full actuarial value of the benefits provided under the plan, whichever is greater.~~

~~M. "Hourly minimum compensation" means the minimum compensation due to an employee under this chapter for each hour worked during a pay period.~~

~~N.)) O. "Hourly minimum wage" means the minimum wage due to an employee under this chapter for each hour worked during a pay period.~~

~~((O.)) P. "Person" means ~~((any))~~ one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or groups or persons, limited liability ~~((company))~~ companies, sole proprietorships, ~~((association,))~~ joint adventures, estates, trusts, or other ~~((entity))~~ entities, groups, or combinations acting as ~~((a))~~ units, and the individuals constituting the groups or units.~~

~~((P. "Piece-rate" means a price paid per unit of work.~~

~~Q. "Rate of inflation" means one hundred percent of the annual average growth rate of the bi-monthly~~

~~Seattle-Tacoma-Bremerton Area Consumer Price Index for urban wage earners and clerical workers, termed CPI-W, for the twelve month period ending in August, provided that the percentage increase shall not be less than zero.~~

~~R. "Schedule 1 employer" means an employer that employs more than five hundred employees in the United States, regardless of where those employees are employed in the United States.~~

~~S. "Schedule 2 employer" means an employer that employs five hundred or fewer employees in the United States, regardless of where those employees are employed in the United States.~~

~~F.)) Q. "Subcontractor" means any person, not an employee, that enters into a contract with a contractor or subcontractor, and that employs employees for that purpose, to assist the contractor or subcontractor in performing a contract with the county.~~

~~R. "Service charge" means a separately designated amount collected by employer from a customer that is for services provided by employees, or is described in such a way that a customer might reasonably believe that the amounts are for such services. "Service charges" include but are not limited to charges designated on receipts as a "service charge," "gratuity," "delivery charge," or "portage charge."~~

~~S. "Tip" means a verifiable sum to be presented by a customer as a gift or gratuity in recognition of some service performed for the customer by the employee receiving the tip.~~

~~((U.)) T. "Wage" means compensation due to an employee by reason of employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value ((, subject to such deductions, charges or allowances as may be permitted by rules of the director. "Wages" include commissions, piece-rate compensation and bonuses, all of which shall be counted as wages in the work-week in which they were earned. An employer payment toward a health benefits plan does not constitute a "wage.")).~~

SECTION 3. Ordinance 17909, Section 5, as amended, and K.C.C. 3.18.020 are hereby amended to read as follows:

A. An employee is covered by this chapter for each hour the employee is performing a measurable

amount of work as a county employee or under a contract with the county. An employee who is not covered by this chapter is still included in determining the size of the employer.

~~B.((1. For the purpose of determining whether an employer is a Schedule 1 employer or a Schedule 2 employer, separate entities that form an integrated enterprise shall be considered a single employer under this chapter. Separate entities are considered an integrated enterprise and a single employer under this chapter if a separate entity controls the operation of another entity. The factors to consider in making this assessment include, but are not limited to:~~

- ~~a. The degree of interrelation between the operations of multiple entities;~~
- ~~b. The degree to which the entities share common management;~~
- ~~c. Centralized control of labor relations; and~~
- ~~d. The degree of common ownership or financial control over the entities.~~

~~2. There shall be a presumption that separate legal entities, which may share some degree of interrelated operations and common management with one another, are considered separate employers for purposes of this section as long as: the separate legal entities operate substantially in separate physical locations from one another; and each separate legal entity has partially different ultimate ownership.~~

~~3. The determination of employer schedule for the current calendar year is calculated based upon the average number of employees employed per calendar week during the preceding calendar year for any and all weeks during which at least one employee worked for compensation. For an employer that did not have any employees during the previous calendar year, the employer schedule is calculated based upon the average number of employees employed per calendar week during the first ninety calendar days of the current year in which the employer engaged in business.~~

~~C.)) For purposes of this chapter, temporary employment agency employees who perform, for an ((Schedule 1 or Schedule 2)) employer, a measurable amount of work under a contract with the county, shall be paid no less than the hourly minimum wage required to be paid to ((covered)) employees ((of the Schedule 1 or~~

Schedule 2 employer.

~~D. This chapter does not apply to the payment of wages to: individuals defined in RCW 49.46.010(3), individuals employed in the categories listed in RCW 49.46.060(1) or individuals less than eighteen years of age.~~

~~E. The county's human resources director shall establish by rule the minimum wage for employees under the age of eighteen years, but any percentage of the hourly rate established by rule shall not be lower than the percentage applicable under state statutes and regulations)) as specified in section 9 of this ordinance.~~

SECTION 4. Ordinance 17909, Section 6, as amended, and K.C.C. 3.18.030 are hereby amended to read as follows:

The county shall pay its employees at a rate no less than the hourly minimum wage ((for Schedule 1 employers, except for short term temporary employees who are employed in social service programs designed to help youth gain basic work training skills)) as specified in section 9 of this ordinance.

SECTION 5. Ordinance 17909, Section 7, and K.C.C. 3.18.040 are hereby amended to read as follows:

~~((A.1. Except as otherwise provided in subsection B. of this section, beginning April 1, 2015, and ending January 1, 2016, Schedule 1 e))~~Employers shall pay their employees who are covered by this chapter an hourly minimum wage ((of at least eleven dollars)) as specified in section 9 of this ordinance. ~~((Except as otherwise provided in subsection B. of this section, beginning January 1 of each year thereafter, Schedule 1 employers shall pay covered employees an hourly minimum wage as follows:~~

Year	Hourly Minimum Wage
2016	\$13.00
2017	\$15.00

~~2. Beginning January 1, 2018, the hourly minimum wage paid by a Schedule 1 employer to covered employees shall be increased annually on a percentage basis to reflect the rate of inflation and calculated to the nearest cent on January 1 of each year thereafter.~~

~~B.1. Beginning January 1, 2016, and ending January 1, 2019, Schedule 1 employers that pay toward a~~

~~covered employee's health benefits plan shall pay the employee no less than an hourly minimum wage as follows:~~

Year	Hourly Minimum Wage
2016	\$12.50
2017	\$13.50
2018	\$15.00

2. ~~Beginning January 1, 2019, payment by the employer of health benefits for employees shall no longer affect the hourly minimum wage paid by a Schedule 1 employer.))~~

SECTION 6. The following are hereby repealed:

- A. Ordinance 17909, Section 8, and K.C.C. 3.18.050;
- B. Ordinance 17909, Section 9, and K.C.C. 3.18.060; and
- C. Ordinance 17909, Section 11, as amended, and K.C.C. 3.18.080.

SECTION 7. Sections 8 through 13 of this ordinance is a new chapter in K.C.C. Title 12.

NEW SECTION. SECTION 8. The definitions in this section apply throughout this chapter unless the context clearly requires otherwise.

- A. "Department" means the department of local services or designee.
- B. "Director" means the director of the department of local services or designee.
- C. "Employ" means to engage, suffer, or permit to work.
- D. "Employee" means any individual employed by an employer, whether on a full-time, part-time, temporary, or seasonal basis, including temporary workers, contracted workers, contingent workers, and persons made available to work through a temporary services, staffing, or employment agency or similar entity.
- E. "Employer" means any individual, partnership, association, corporation, business trust, or any entity, person or group of persons, or a successor thereof, that employs another person and includes any such entity or person acting directly or indirectly in the interest of an employer in relation to an employee. More than one entity may be the "employer" if employment by one employer is not completely disassociated from

employment by the other employer if the economic reality of the relationship between the entities and the employee or employees is that of employer and employee. The economic reality of the relationship is to be determined by the circumstances of the whole activity, not a mechanical weighing of relevant factors.

F. "Franchise" means an agreement, express or implied, oral or written, by which:

1. A person is granted the right to engage in the business of offering, selling, or distributing goods or services under a marketing plan prescribed or suggested in substantial part by the grantor or its affiliate;
2. The operation of the business is substantially associated with a trademark, service mark, trade name, advertising, or other commercial symbol; designating, owned by, or licensed by the grantor or its affiliate; and
3. The person pays, agrees to pay, or is required to pay, directly or indirectly, a franchise fee.

"Franchise fee" is meant to be construed broadly to include any instance in which the grantor or its affiliate derives income or profit from a person who enters into a franchise agreement with the grantor.

G. "Franchisee" means a person to whom a franchise is offered or granted.

H. "Franchisor" means a person who grants a franchise to another person.

I. "Person" includes one or more individuals, partnerships, associations, organizations, corporations, cooperatives, legal representatives, trustees, trustees in bankruptcy, receivers, or groups of persons, limited liability companies, sole proprietorships, joint adventures, estates, trusts, or other entities, groups, or combinations acting as units, and the individuals constituting the groups or units.

J. "Service charge" means a separately designated amount collected by employer from a customer that is for services provided by employees, or is described in such a way that a customer might reasonably believe that the amounts are for such services. "Service charges" include but are not limited to charges designated on receipts as a "service charge," "gratuity," "delivery charge," or "portage charge."

K. "Tip" means a verifiable sum to be presented by a customer as a gift or gratuity in recognition of some service performed for the customer by the employee receiving the tip.

L. "Unincorporated King County" means those areas outside any city or town and under King County's jurisdiction.

M. "Wage" means compensation due to an employee by reason of employment, payable in legal tender of the United States or checks on banks convertible into cash on demand at full face value.

NEW SECTION. SECTION 9.

A. All employers in unincorporated King County shall pay their employees at an hourly minimum wage at a rate of not less than eighteen dollars and ninety-nine cents per hour or the hourly minimum wage established by federal or state law, whichever is greater. Beginning on January 1, 2024, the hourly minimum wage shall increase annually on a percentage basis to reflect the annual rate of inflation and calculated to the nearest cent on January 1 of each year thereafter. For purposes of this section, "the annual rate of inflation" means one hundred percent of the annual average growth rate of the U.S. Department of Labor, Bureau of Labor Statistics Seattle-Tacoma-Bremerton Area Consumer Price Index for urban wage earners and clerical workers, CPI-W, or a successor index, for the twelve month period ending in August, but the percentage increase shall not be less than zero. Tips, gratuities, and service charges paid to an employee shall be in addition to, and not count towards, the hourly minimum wage.

B. All employers in unincorporated King County shall pay to its employees all tips, gratuities, and service charges.

C. By October 1 of each year, the director shall make available to the public on the county's website, the hourly minimum wage amount determined in accordance with this section.

D. The following are exceptions to subsection A. of this section:

1. Beginning on January 1, 2024, employers that employ fifteen employees or less and has an annual gross revenue less than two million dollars shall pay their employees an hourly minimum wage as established in subsection A. of this section minus three dollars. The three-dollar reduction shall decrease annually by fifty cents on February 1 of each year thereafter until the reduction is zero.

2. Beginning on January 1, 2024, employers that employ more than fifteen employees but less than five hundred employees shall pay their employees an hourly minimum wage as established in subsection A. of this section minus two dollars per hour. The two-dollar reduction shall decrease annually by one dollar on February 1 of each year thereafter until the reduction is zero.

3. For the purposes of this subsection D. of this section, the following shall apply:

a. The employers that are subject to the exceptions in this subsection D. of this section shall not include franchisees associated with a franchisor or a network of franchises with franchisees that employ more than fifteen employees in aggregate, regardless of the geographic location of the franchises;

b. "Gross revenue" means the total revenue generated by the employer regardless of geographic location; and

c. The number of employees shall be calculated by determining the average number of employees employed by the employer during the last twelve months regardless of the location of employment of each employee.

E. All employers in unincorporated King County shall annually certify compliance with this chapter to the department and maintain adequate records to provide proof of compliance and either have it available upon request by the department or have it available for a proceeding involving an aggrieved employee bringing a civil action in a court of competent jurisdiction against an employer for violating this chapter as described in section 11 of this ordinance, or both. Adequate records shall include, but not be limited to:

1. The number of employees employed by the employer for the previous year;

2. The number of employees paid the minimum wage as required by subsection A. of this Section for the previous year;

3. Wages paid by the employer to all employees for the previous year;

4. The number of work hours of each employee for the previous year;

5. Wages paid to each employee for the previous year; and

6. The amount of any deductions from the wages paid to each employee for the previous year.

NEW SECTION. SECTION 10.

A. Beginning January 1, 2025, the director of the office of performance, strategy and budget, or its designee, shall annually convene a workgroup to: evaluate whether the current hourly minimum wage as established by this chapter is sufficient to meet the basic needs of working families in King County; and analyze the current hourly minimum wage's impact to the region's economy. In its evaluation and analysis, the workgroup shall include, but not be limited to, the following considerations:

1. The Self-Sufficiency Standard for Washington State, developed in partnership with the University of Washington's Center for Women's Welfare and the Workforce Development Council of Seattle-King County;
2. Impacts to the county labor market including, but not limited to, employment rates, small business labor costs, and ability to attract new businesses to the region;
3. Impacts on the number of county residents that receive the federal Earn Income Tax Credit, the Washington State Working Families Tax Credit, and any other government benefits that are provided to low- and middle-income households; and
4. Disproportionate impacts to Black, Indigenous, and People of Color communities, if any.

B. Workgroup membership shall include, but not be limited to, the following:

1. Director of the office of performance, strategy and budget, or its designee;
2. County's chief economist, or its designee;
3. Director of the finance and business operations division, or its designee;
4. Director of the department of local services, or its designee;
5. Director of the department of human resources, or its designee; and
6. Chair of the budget and fiscal management committee, or its successor, or its designee.

C. The workgroup shall seek input from the community on its evaluation and analysis work as described in subsection A. of this section. The community shall include, but not be limited to, the following:

1. Economists and wage experts from accredited universities in the state of Washington;
2. Representatives from the King County Coalition of Unions;
3. Employers that contract with the county or have showed interest in contracting with the county; and
4. Organizations that represent employees in unincorporated King County and employers in unincorporated King County.

D. The workgroup shall provide a report of its findings and a recommendation, if any, to modify the hourly minimum wage established by this chapter. The executive shall electronically file the report and any legislation that would amend this ordinance to implement the hourly minimum wage as recommended by the workgroup no later than June 30 of each year with the clerk of the council, who shall retain an electronic copy and provide an electronic copy to all councilmembers, the council chief of staff, and the lead staff for the local services and land use committee, or its successor. The executive shall electronically distribute the report to all government entities in the county and to relevant state and federal agencies, including, but not limited to, the Washington state Employment Security Department, or its successor.

NEW SECTION. SECTION 11.

A. An employer shall not interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under this chapter by an employee. Also, an employer shall not take any adverse action against an employee or to discriminate against an employee because the employee has exercised in good faith the rights under this chapter. The rights shall include, but are not limited to, the:

1. Right to file a complaint with any entity or agency about an employer's alleged violation of this chapter;
2. Right to inform the person's employer, union, or similar organization, the person's legal counsel, or any other person about an alleged violation of this chapter;
3. Right to cooperate in any investigation of alleged violations of this chapter;
4. Right to testify in a proceeding related to violations of this chapter; and

5. Right to inform other employees of the rights protected under this chapter.

B. For the purposes of this section, "adverse action against an employee" includes, but is not be limited to:

1. Actions relating to an employee's employment including pay, work hours, responsibilities, or other material change in the terms and conditions of employment;

2. Actions relating to an employee's immigration or citizenship status; and

3. Actions dissuading an employee from exercising any right afforded by this chapter.

NEW SECTION. SECTION 12.

A. An aggrieved employee may bring a civil action in a court of competent jurisdiction against an employer for violating this chapter and, upon prevailing, may be awarded reasonable attorneys' fees and costs and such legal or equitable relief as is appropriate to remedy, which shall include, but not be limited to, the payment of any unpaid wages plus interest due to the employee, liquidated damages, which shall include, but not be limited to, up to twice the unpaid wages and any collateral damages incurred by the aggrieved employee, and a penalty payable to any aggrieved employee of up to five thousand dollars if the employer was in violation of this chapter. An aggrieved employee shall be entitled to liquidated damages without a finding that the violation of this chapter was willful and an aggrieved employee may recover both liquidated damages and prejudgment interest.

B. For the purposes of this section, an aggrieved employee means an employee who claims to have been injured by an employer's violation of this chapter.

C. For the purposes of this section, interest shall be twelve percent per annum or the maximum rate permitted under RCW 19.52.020, whichever is higher, and accrue from the date the unpaid wages were first due.

D. An employee may report any violations of this chapter to the department, who is hereby authorized to investigate and, if the department deems it appropriate, initiate legal or other action to remedy any violation

of this chapter.

NEW SECTION. SECTION 13.

A. The director may adopt rules and procedures, in accordance with K.C.C. chapter 2.98, to implement this chapter and ensure compliance of this chapter. If the director adopts appropriate rules and procedures, before giving public notice of the rules and procedures as required by K.C.C. chapter 2.98, the director shall seek feedback of the rules and procedures from organizations that represent employees in unincorporated King County and employers in unincorporated King County.

B. The director may negotiate an interlocal agreement with a governmental entity or contract with a nonprofit organization to implement this chapter and ensure compliance with this chapter.

SECTION 14. This ordinance takes effect January 1, 2024.

SECTION 15. If any provision of this ordinance of its application to any person or circumstance is held invalid, the remainder of the ordinance or the application of the provision to other persons or circumstances is not affected.