
HOUSE BILL 1824

State of Washington 62nd Legislature 2011 Regular Session

By Representatives Condotta, Shea, Warnick, and Tharinger

Read first time 02/03/11. Referred to Committee on Labor & Workforce Development.

1 AN ACT Relating to exempting certain employees in the
2 transportation industry who work in armored vehicles from meal and rest
3 period requirements; adding a new section to chapter 49.12 RCW; and
4 creating a new section.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

6 NEW SECTION. **Sec. 1.** The legislature recognizes the importance of
7 providing employees with meal and rest periods and compensating
8 employees for all hours worked. The legislature further recognizes,
9 however, that there are certain industries where an employer cannot
10 relieve an employee of all duties during a meal or rest period because
11 the risk of harm to the employee and the public is too great. The
12 armored vehicle industry is one of these industries where it is
13 impossible for employers to comply with the meal and rest period
14 requirements, as currently interpreted by Washington courts. Armored
15 vehicles are frequent targets of armed robberies and the risk of harm
16 to the public and the armored vehicle employees are increased when the
17 vehicles stay stationary for long periods of time. In order to promote
18 safety and security, it is important that armored vehicle employees
19 remain vigilant at all times. The employment conditions of the armored

1 vehicle industry are unique and require a specific statutory treatment.
2 It is the intent of the legislature to exempt these employers from the
3 meal and rest period requirements so long as employees are fully
4 compensated for all hours worked.

5 NEW SECTION. **Sec. 2.** A new section is added to chapter 49.12 RCW
6 to read as follows:

7 (1) Employers are not required to meet the meal and rest period
8 requirements under rules adopted by the department under this chapter
9 for employees in the transportation industry whose work places the
10 employee inside an armored vehicle in shifts during a workday.
11 Employers are not required to relieve these employees of all duty and
12 may require them to be vigilant for the protection of themselves and
13 the public. Employers shall, however, allow these employees to eat and
14 take reasonable rest periods while on duty, with pay.

15 (2) The exemption in subsection (1) of this section does not modify
16 an employer's responsibility to compensate employees for all hours
17 worked, to pay overtime compensation required under RCW 49.46.130, or
18 to comply with all other applicable requirements.

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