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

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

NEW SECTION. Sec. 1. The legislature recognizes the importance of providing employees with meal and rest periods and compensating employees for all hours worked. The legislature further recognizes, however, that there are certain industries where an employer cannot relieve an employee of all duties during a meal or rest period because the risk of harm to the employee and the public is too great. The armored vehicle industry is one of these industries where it is impossible for employers to comply with the meal and rest period requirements, as currently interpreted by Washington courts. Armored vehicles are frequent targets of armed robberies and the risk of harm to the public and the armored vehicle employees are increased when the vehicles stay stationary for long periods of time. In order to promote safety and security, it is important that armored vehicle employees remain vigilant at all times. The employment conditions of the armored
vehicle industry are unique and require a specific statutory treatment. It is the intent of the legislature to exempt these employers from the meal and rest period requirements so long as employees are fully compensated for all hours worked.

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

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

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

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