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**SENATE BILL 5753**

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**State of Washington                      66th Legislature                      2019 Regular Session**

**By** Senators Randall, Wilson, C., Keiser, Kuderer, and Nguyen

Read first time 01/30/19. Referred to Committee on Labor & Commerce.

1            AN ACT Relating to eliminating subminimum wage certificates for  
2 persons with disabilities; and amending RCW 49.12.110 and 49.46.060.

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

4            **Sec. 1.** RCW 49.12.110 and 1994 c 164 s 19 are each amended to  
5 read as follows:

6            For any occupation in which a minimum wage has been established,  
7 the director may issue to an employer, a special certificate or  
8 permit (~~((for an employee who is physically or mentally handicapped to  
9 such a degree that he or she is unable to obtain employment in the  
10 competitive labor market, or))~~) to a trainee or learner not otherwise  
11 subject to the jurisdiction of the apprenticeship council, (~~(a  
12 special certificate or permit)~~) authorizing the employment of such  
13 employee for a wage less than the legal minimum wage; and the  
14 director shall fix the minimum wage for said person, such special  
15 certificate or permit to be issued only in such cases as the director  
16 may decide the same is applied for in good faith and that such  
17 certificate or permit shall be in force for such length of time as  
18 the director shall decide and determine is proper.

19            **Sec. 2.** RCW 49.46.060 and 1959 c 294 s 6 are each amended to  
20 read as follows:

1       The director, to the extent necessary in order to prevent  
2 curtailment of opportunities for employment, shall by regulations  
3 provide for (~~(1)~~) the employment of learners, of apprentices, and  
4 of messengers employed primarily in delivering letters and messages,  
5 under special certificates issued pursuant to regulations of the  
6 director, at such wages lower than the minimum wage applicable under  
7 RCW 49.46.020 and subject to such limitations as to time, number,  
8 proportion, and length of service as the director shall prescribe(~~(7~~  
9 and

10       ~~(2) the employment of individuals whose earning capacity is~~  
11 ~~impaired by age or physical or mental deficiency or injury, under~~  
12 ~~special certificates issued by the director, at such wages lower than~~  
13 ~~the minimum wage applicable under RCW 49.46.020 and for such period~~  
14 ~~as shall be fixed in such certificates).~~

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