SHRM South Puget Sound

QUARTERLY NEWSLETTER LEGISLATIVE UPDATE

What Washington Employers & HR Professionals Need to Know — Fall 2026

Washington continues to be one of the most active states in the country for employment legislation. Below are six developments HR teams should be tracking this quarter — from paid leave and hiring rules to wage floors and child labor penalties.

1. Paid Family & Medical Leave (PFML) Overhaul — HB 1213

EFFECTIVE: *Job-protection changes phased in beginning January 1, 2026*

HB 1213 significantly amends Washington's PFML program. Employees now qualify for job protection after 180 days of employment, rather than only qualifying under the Federal Family and Medical Leave Act as before. Job-protection rights currently apply to employers with 25 or more employees; that threshold drops to 15 or more beginning January 1, 2027, and to 8 or more starting January 1, 2028. Employers must also include additional information in posted PFML materials — including eligibility requirements, possible weekly benefits, application steps, and nondiscrimination rights — and a new 2026 poster is now required.

WHY IT MATTERS: More employees will qualify for job-protected leave sooner, and the covered-employer threshold will keep expanding through 2028. Confirm your workplace poster is current and update leave policies to reflect the 180-day threshold.

2. Fair Chance Act Expansion — HB 1747

EFFECTIVE: *July 1, 2026 (January 1, 2027 for employers with fewer than 15 employees)*

HB 1747 further expands protections under Washington's Fair Chance Act, significantly limiting how and when employers can use criminal history in hiring decisions and adding new notice and documentation requirements before taking adverse action. Penalties for violations now apply per applicant or employee, per violation — a meaningful increase in financial exposure for noncompliance.

WHY IT MATTERS: Recruiters and hiring managers should review application forms, interview practices, and background-check workflows now, since per-violation penalties raise the stakes considerably.

3. Pregnancy Accommodation & Lactation Break Expansion — SB 5217

EFFECTIVE: *January 1, 2027*

SB 5217 will require all Washington employers, regardless of size, to provide reasonable accommodations to pregnant employees and paid lactation breaks in addition to regular meal and rest periods. This expands current law, which only applies the accommodation requirement to employers with more than 15 employees.

WHY IT MATTERS: Small employers that were previously exempt will need to build out accommodation and lactation-break policies well before the January 2027 effective date.

4. Unemployment Insurance for Striking & Locked-Out Workers — SB 5041

EFFECTIVE: *In effect for 2026*

SB 5041 expands unemployment insurance eligibility to workers unemployed due to a labor strike or lockout. Eligible strikers may receive up to six calendar weeks of benefits following the standard one-week waiting period. If a strike is later found unlawful in a final judgment, striking workers cannot receive benefits and must repay any amounts already received; workers who later receive retroactive wages must similarly repay any overlapping benefits.

WHY IT MATTERS: Employers in unionized workplaces should understand how this changes the cost and duration calculus of a labor dispute, including repayment mechanics if a strike is ultimately deemed unlawful.

5. Minimum Wage & Overtime-Exempt Salary Thresholds

EFFECTIVE: *January 1, 2026*

Washington's minimum wage rose to $17.13 per hour effective January 1, 2026, a 2.8% increase over 2025. The overtime-exempt salary threshold for executive, administrative, and professional employees rose to roughly $80,000 annually, and the threshold for computer professionals is now 3.5 times minimum wage, or $59.96 per hour.

WHY IT MATTERS: Run payroll and classification audits now — employees near the old thresholds may need reclassification or a pay adjustment to preserve exempt status.

6. Increased Child Labor Penalties — HB 1644

EFFECTIVE: *July 1, 2026*

HB 1644 increases civil penalties for violations of Washington's child labor regulations. In certain circumstances, a minor's work permit may also be revoked for a minimum of 12 months if an employer is cited or becomes subject to a restraining order related to noncompliance.

WHY IT MATTERS: Employers in retail, hospitality, and other industries that employ minors should double-check hour restrictions, permit requirements, and hazardous-occupation rules given the steeper penalties now in play.

LOOKING AHEAD

A trio of newer laws — HB 2105, HB 2345, and HB 2479 — took effect June 11, 2026, with staggered compliance dates worth calendaring: HB 2105's core requirements begin October 1, 2026; HB 2345's payroll deduction changes apply January 1, 2027; and HB 2479's wage recovery program begins no earlier than July 1, 2028. We'll cover these in more detail in an upcoming issue.

This newsletter is for general informational purposes only and does not constitute legal advice. Consult your legal counsel regarding how these changes apply to your organization.