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New Year, New Employment Laws in the Pacific Northwest

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It is a new year, which means new employment laws for employers in the Pacific Northwest. The following is a brief overview of significant new laws and changes for Washington and Oregon employers (all effective January 1, 2024).

Washington

- **Increased Minimum Wage:** The Washington state minimum wage is now \$16.28 per hour. Local minimum wage rates are higher:
 - The **Seattle** minimum wage is now \$19.97 per hour for large employers (501 or more employees) and \$17.25 per hour for small employers (500 employees or fewer) that pay at least \$2.72 an hour towards employees' medical benefits or if the employees make at least \$2.72 an hour in tips.
 - The **SeaTac** minimum wage for hospitality and transport employees is now \$19.71 per hour.
 - The **Tukwila** minimum wage is now \$20.29 for large employers (501 or more employees) and \$18.29 for mid-size employers (15-500 employees).
 - Beginning May 1, 2024, the **Bellingham** minimum wage will be \$17.28 per hour.
- **Increased Salary Threshold for Exempt Employees:** Both small employers (1-50) and large employers (51 or more employees) will now have to pay at least two times the state minimum wage (\$1,302.40 a week or \$67,724.80 annually) for an employee to meet the salary threshold for overtime exemption under Washington law.
- **Increased Salary Threshold for Enforcement of Noncompetition Agreements:** The 2024 annual salary threshold for enforcement of noncompetition agreements in Washington is now \$120,559.99 for employees and \$301,399.98 for independent contractors.
- **Consideration of Cannabis Use in Hiring ([SB 5123](#)):** Employers are barred from discriminating against job applicants related to the applicant's use of cannabis off the job and away from the workplace, or because a drug screening test has found the person to have nonpsychoactive cannabis metabolites. The statute contains a number of exceptions that employers should review.
- **Payout of Sick Leave for Temporary Construction Workers ([SB 5111](#)):** Employers of temporary construction workers (*i.e.*, those who have not been employed for at least 90 days) must now payout the balance of their accrued and unused paid sick leave upon separation of employment. This does not apply to residential building construction workers.

- **Overtime for Agricultural Workers:** Agricultural workers, including agricultural piece-rate employees, must now be paid overtime for all hours worked over 40 in a workweek.

Oregon

- **OFLA Expansion for Bias Crime Victims ([HB 3443](#)):** The Oregon Family Leave Act (OFLA) has been expanded to include protection for bias crime victims.
- **Retaliation for Reporting a Hazardous Condition Prohibited ([SB 907](#)):** ORS 654.062 has been amended to bar retaliation or discrimination against employees who, “[w]ith no reasonable alternative and in good faith, refused to expose the employee or prospective employee to serious injury or death arising from a hazardous condition at a place of employment.”
- **Expanded Civil Rights Protections for Apprentices ([HB 3307](#)):** ORS Chapter 659A has been expanded to extend civil rights protections against discrimination and harassment to participants in registered apprenticeship programs and certain private-sector on-the-job training programs.

If you have any questions about these new laws or updating your employment policies or handbooks, please reach out to Leah Lively or Alexandra Shulman.



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