

## Minimum staffing must be met at all times

As members of WSNA, UFCW 3000, and SEIU Healthcare 1199NW united in our WA Safe + Healthy coalition, we are actively engaged in ensuring the implementation of the new Meal and Rest Breaks law.

In accordance with the staffing plan developed for each dept./unit, hospitals must maintain the staffing level identified in the staffing plan, even while workers are on break.

- *The HSC may restructure how break relief is provided.*
- *The hospital is out of compliance when the number of nursing staff actively caring for patients is lower than the staffing plan at any time during the shift (including meal/rest breaks).*
- *The requirement for compliance is effective 7/1/2025.*

*\*Information provided by Washington Department of Health*

## Meal and Rest Breaks law amendment introduced

As we worked to implement the new law, we recognized the law didn't consider that many healthcare workers now work 10-12 hour shifts. An amendment has been introduced to better reflect the current practice of taking breaks to allow workers to combine one or more rest breaks with a meal period.

**Following the implementation of the Hospital Staffing Committee law (SB 5236):**

- *Covered workers can only combine one rest break with one meal break*
- *Waivers were not negotiated prior to implementation at facilities*

**With passage of the amendment:**

- *One or more rest breaks can be combined with a meal break if a worker chooses to waive the timing of meal and/or rest breaks.*
- *Where applicable, the written waiver must be submitted on a form agreed to between the employer and the collective bargaining representative.*

### ***Q: Can I be disciplined for reporting a missed meal or rest break?***

**NO.** Employers may not take adverse action against employees for exercising their rights to meal and rest breaks. The law protects the rights of covered healthcare workers to:

1. Take meal and rest periods authorized by law
2. Record missed meal and rest periods in the employer's tracking system
3. File a complaint related to a perceived violation of rights

An adverse action is any action taken or threatened by an employer against an employee for exercising their rights:

- Terminating, suspending, demoting, or denying a promotion
- Reducing the employees' scheduled work hours
- Oral or written warning
- Reducing the employee's rate of pay

(HLS.A.2, RCW 49.12.480, RCW 49.12.483)

### ***Q: How do I file a complaint if my employer is not providing me with meal and/or rest breaks?***

**PHONE:** By Phone 360-902-5484

**IN PERSON:** Visit your nearest L&I office

**MAIL:** Download and mail a completed Worker Rights Complaint form (F700-148-000)

**ONLINE:** File a Worker Rights Complaint online. <https://secure.lni.wa.gov/HealthcareWorkersComplaint/#/>

