

From: [REDACTED]

Sent: Monday, January 11, 2016 2:11 PM

To: Nate Christiansen

Cc: [REDACTED]

Subject: RE: "Hours worked" and student employees

Mr. Christiansen,

Greetings. I am the [REDACTED] with the Washington State Department of Labor and Industries, and I was forwarded your inquiry by one of our Customer Service Specialists.

As you describe in the facts you emailed, it does appear that an employer/employee relationship has been created. Students are hired, and then they must take the SAA 340 course.

With an employer/employee relationship, for employee training to not be compensated, the following four conditions must be met: (pursuant to L&I Administrative Policy ES.C.2, at <http://www.lni.wa.gov/workplacerights/files/policies/esc2.pdf>)

Washington Work Place Rights.pdf - Labor & Industries

www.lni.wa.gov

This policy is designed to provide general information in regard to the current opinions of the Department of Labor & Industries on the subject matter covered.

- 3.1 Attendance is voluntary, and
- 3.2 The employee performs no productive work during the meeting or lecture; and
- 3.3 The meeting takes place outside of regular working hours; and
- 3.4 The meeting or lecture is not directly related to the employee's current work, as distinguished from teaching the employee another job or a new, or additional, skill outside of skills necessary to perform job.

It appears, from your facts, that the conditions have not been met, and that therefore the time spent at the SAA 340 training would be considered "hours worked" and is compensable.

Our Department has authority to investigate such wage complaints for the preceding three years. If you would like to file a complaint (or encourage others to do so), you can complete a complaint form online at <http://www.lni.wa.gov/WorkplaceRights/>.

Please let me know if you have additional concerns.

Regards,

[REDACTED]
Fraud Prevention and Labor Standards
Washington State Department of Labor and Industries
P.O. Box 44510 - Olympia, WA 98504-4510

