

Proposed Rule for Notice & Comment from June 4, 2018 through June 19, 2018

This proposed rule reflects edits from an earlier draft that was available for notice and comment from April 23, 2018 through May 13, 2018.

**Seattle Office of Labor Standards
Seattle Human Rights Rules (SHRR)
Chapter 70**

Practices for administering the Paid Sick and Safe Time Ordinance under SMC 14.16

SHRR 70-020 DEFINITIONS

5. **"Normal hourly compensation"** means the hourly rate that an employee would have earned for the time during which the employee used paid sick and safe time~~(-)~~, subject to the following clarifications:
- a. Normal hourly compensation includes ~~((holiday pay and other premium rates, and))~~ differential rates. A differential rate is a different rate paid for the same work performed under differing conditions (e.g. night shift). A differential rate is not a premium rate.
 - b. Normal hourly compensation does not include tips, gratuities, ~~((and))~~ service charges, holiday pay, or other premium rates, unless the employer ~~((or a collective bargaining agreement))~~ allows for such considerations.
 - c. For overtime eligible employees, normal hourly compensation does not include the ~~((requirement to compensate employees at the))~~ overtime rate of at least at one and one-half times the employee's regular rate of pay for hours worked in excess of a 40-hour work week.
 - d. For overtime exempt employees, normal hourly compensation does not include lost commissions.