

## Commuter Benefits Ordinance Fact Sheet

Seattle's Commuter Benefits Ordinance, Seattle Municipal Code (SMC) 14.30, requires employers with 20 or more employees to offer their employees the opportunity to make a pre-tax payroll deduction for transit or vanpool expenses. The law has been effective since January 1, 2020.

### Who does this law apply to?

The law applies to employers who employ at least 20 employees worldwide. Government entities and tax-exempt organizations are not covered by this law. This law applies to employees who work at least an average of ten hours per week in Seattle during the previous month.

### Covered employers can meet their obligation under the ordinance by offering one of the following to their employees:

1. The ability to make a monthly pre-tax deduction for transit or vanpool expenses up to the full amount allowed by the Internal Revenue Service (IRS) guidelines for the current year. Please visit the IRS website: <https://www.irs.gov/forms-pubs/about-publication-15-b>.
2. Paying for all or part of the price of a transit pass. If a partial subsidy, the employer must subsidize the pass with a monthly amount that is equal to or greater than 30% of a retail monthly transit pass covering fares for King County Metro and Sound Transit Link Light Rail Service. See the OLS website for details.

### When must an employer first offer the pre-tax deduction or transit pass to their employees?

1. Employers must offer a commuter benefit to covered employees within 60 calendar days of the employee's start date. If the employee accepts, the employer must provide the benefit within 30 calendar days.
2. If an employee is not initially covered, but later comes into coverage by working more than an average of 10 hours a week in the previous calendar month, the employer must offer the benefit to the newly covered employee at that time and must provide the employee with the benefit within 30 days of selection.

### Resources

The Office of Labor Standards has made several resources available at <http://www.seattle.gov/laborstandards>:

- Commuter Benefits Ordinance, SMC 14.30
- Commuter Benefits Ordinance Q&A
- Seattle Human Rights Rules Chapter 180

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