

WSR 26-19-115 - Department of Labor and Industries [Order 26-11-FILED September 22, 2026, 8:51 A.M., Effective October 23, 2026]: The rule making amends chapter 296-122 WAC, Agricultural employment of minors; and WAC 296-126-050 Personnel files

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WSR 26-19-115 (26-19) WSR 26-19-115

PERMANENT RULES

DEPARTMENT OF

LABOR AND INDUSTRIES

[Order 26-11-Filed September 22, 2026, 8:51 a.m., effective October 23, 2026]

Effective Date of Rule: Thirty-one days after filing.

Purpose: The rule making amends chapter 296-122 WAC, Agricultural employment of minors; and WAC 296-126-050 Personnel files. The adopted changes clarify requirements for employers and make technical corrections to the rules.

The adopted rules make several corrections to chapter 296-122 WAC. The rules clarify in WAC 296-122-130 that the department of labor and industries may grant variances for child labor requirements other than prohibited duties. The adopted rules also correct WAC 296-122-140 Special variances, to align the approach to school days with the framework used in the hours of work section, WAC 296-122-090. Other updates within the chapter correct typographical errors without material impact.

The adopted rule also amends the personnel file requirements found in WAC 296-126-050. The amendments align the rule with the statutory language found in RCW 49.12.250 .

Citation of Rules Affected by this Order: Amending WAC 296-122-090, 296-122-130, 296-122-140, and 296-126-050.

Statutory Authority for Adoption: RCW 49.30.060 and 49.12.250 .

Adopted under notice filed as WSR 26-15-110 on July 21, 2026.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 0, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 4, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: September 22, 2026.

Joel Sacks

Director

RDS-7289.1

AMENDATORY SECTION (Amending WSR 26-11-048, filed 5/19/26, effective 7/1/26)

WAC 296-122-090 Hours of work for minors in agriculture.

(1) Minors legally required to attend school may not be employed during school hours except by special permission from school officials as provided in RCW 28A.225.010 and 28A.225.080 .

(2)(a) Minors under the age of 16 may work the following hours during school weeks:

(i) A maximum of three hours per day on school days and otherwise a maximum of eight hours per day;

(ii) A maximum of 21 hours per week;

(iii) No earlier than 7:00 a.m. on school days and otherwise no earlier than 5:00 a.m. Minors employed in animal agriculture or whose employment in crop production requires daily attention to irrigation may be employed beginning at 6:00 a.m.; and

Matter furnished by the Washington Office of the Code Reviser (Washington State Register). Notice Nearby did not write this notice.

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