

# Improved Food Safety Confidence Through Enforcement of Labor Standards



Daily news stories highlight national efforts that are dismantling our health care systems and public health infrastructure. King County has an opportunity to give our residents more confidence that we are working to improve public health based on science and collaboration among local jurisdictions.

## Proposed Policy

This new Board of Health Rule & Regulation (R&R) would allow Public Health Seattle-King County to coordinate with WA State Labor and Industries (LNI), Seattle Office of Labor Standards (OLS) and the WA Attorney General's Office (AGO) to notify Public Health if there is a food establishment that has failed to remedy a proven labor standard violation. Under WA State law, Public Health is allowed to conduct a more frequent inspection for a series of reasons, and the proposed R&R would allow Public Health to return to a food establishment that has been found to be non-compliant with a final determination of a labor standard violation. Labor standard violations include situations like preventing or limiting the use of paid sick leave, withholding pay or underpaying, forced overtime, or no access to rest and meal breaks. Workers [denied breaks](#) [make mistakes](#) or [don't feel like they can say no when employers insist that they work sick](#). And that compromises the safety of the food and our health.

Where there is smoke, there is often fire: When workers' labor rights are being violated, it is highly likely other health and safety laws are also not being followed, putting food preparation in question and our public's health at risk. When dealing with food preparation, we shouldn't let that compromise public health and risk additional food borne illnesses. If LNI, AGO, or OLS conclude from their investigations that there has been a violation and the food establishment fails to respond, appeal or remedy the violation, then we worry the health and safety of the workers could compromise the health and safety of the food being prepared. Public Health Inspectors will be asked to conduct a normal food-safety inspection and will post a placard next to the food rating sign indicating the food establishment is undergoing increased health inspection due to a labor violation according to LNI, AGO or OLS. However, this additional placard can be removed immediately if the establishment remedies the violation or further challenges the decision.

## Policy Impact

The value is ensuring that all food being prepared is healthy and safe, even from those food establishments that have failed to remedy a labor violation from city or state. The value is also in upstream increased compliance with labor standards which leads to healthier work environments and thus healthier food preparation. OLS, AGO, and LNI will include in their communication that failure to attempt to remedy the financial obligation will result in a more frequent inspection from public health to evaluate any food and safety violations so there will be clear communication and promote engagement.

WA state law allows for Public Health to conduct more frequent health and safety inspections in the interest of preventing food borne illness. We are simply adding to the criteria for another risk-based inspection due to non-compliance with a final labor standard violation and the placement of the additional placard next to the food safety rating sign until the labor violation has begun to be remedied.

Public Health Seattle-King County, OLS, AGO, LNI, business groups, worker organizations and various restaurateurs have all weighed as we crafted this proposal. Changes have been made and the broad consensus around this proposed policy is supportive. It is expected that increased inspections will happen infrequently, between 15-20 times a year; this number is so small because the vast majority of food establishments remedy issues. This R&R is intended to make sure that for the few that don't, we at least verify that the food is safe.

