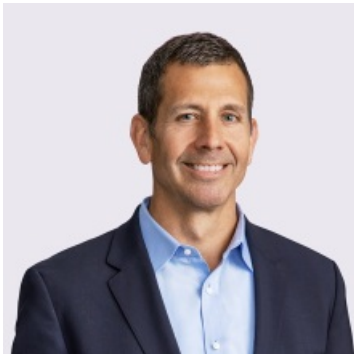


Seattle Enacts Gig Worker Premium Pay Ordinance During COVID-19 Crisis

By Peter H. Nohle &

June 30, 2020

Meet the Authors



Peter H. Nohle

Principal

206-626-6436

Peter.Nohle@jacksonlewis.com

Related Services

COVID-19

Staffing and Independent
Workforce

Wage and Hour

The Seattle City Council has enacted the Premium Pay for Gig Workers Ordinance, which temporarily provides premium pay to “gig workers” for online food delivery network companies with at least 250 gig workers worldwide.

The ordinance took effect on June 26, 2020, and will end at the expiration of the Mayor’s civil emergency in response to the COVID-19 pandemic. However, the law’s other legal requirements, such as recordkeeping, will stay in effect for three years.

The new law applies to all such gig workers who have a work-related stop in Seattle.

Food delivery network companies must pay a gig worker the following premium pay for each online order:

- \$2.50 for one pick-up or one drop-off in Seattle;
- \$1.25 for each additional pick-up point in Seattle; and
- \$1.25 for each additional drop-off point in Seattle.

This premium pay is due to the gig worker when they are paid for the associated online order. The companies also must identify which orders qualify for premium pay and separately itemize premium pay from other compensation to the gig worker.

As a result of this law, companies may not:

1. Reduce or modify their service areas in Seattle;
2. Reduce gig worker compensation;
3. Limit gig worker earning capacity (such as by limiting access to online orders); or
4. Add customer charges to online orders for delivery of groceries.

Companies must provide each gig worker with notice of their right to premium pay, to protection from retaliation, and either to bring a lawsuit or to file a complaint with the Seattle Office of Labor Standards. This notice must be in an electronic format by smartphone application or online web portal.

In a lawsuit, prevailing gig workers can recover treble (three times) economic damages, interest, a monetary penalty of up to \$55,462.70 for retaliation, and reasonable attorney’s fees and costs. Gig workers also can bring actions on a class basis and obtain equitable relief.

This law is in addition to Seattle’s new law granting paid sick and safe time to gig workers. For details of that law, see our article, [Seattle Enacts Gig Worker Paid Sick and Safe Time Ordinance During COVID-19 Crisis](#).

Please contact a Jackson Lewis attorney with any questions.

©2020 Jackson Lewis P.C. This material is provided for informational purposes only. It is not intended to constitute legal advice nor does it create a client-lawyer relationship between Jackson Lewis and any recipient. Recipients should consult with counsel before taking any actions based on the information contained within this material. This material may be considered attorney advertising in some jurisdictions. Prior results do not guarantee a similar outcome.

Focused on employment and labor law since 1958, Jackson Lewis P.C.'s 1,000+ attorneys located in major cities nationwide consistently identify and respond to new ways workplace law intersects business. We help employers develop proactive strategies, strong policies and business-oriented solutions to cultivate high-functioning workforces that are engaged and stable, and share our clients' goals to emphasize belonging and respect for the contributions of every employee. For more information, visit <https://www.jacksonlewis.com>.