



WASHINGTON BUILDING TRADES

MARK L RIKER
EXECUTIVE SECRETARY

TODD MITCHELL
PRESIDENT

March 25, 2020

Re: Liability Waivers

To Whom it May Concern,

It has come to our attention that some contractors are requiring employees to sign liability waivers as a condition of continued employment on jobs. The Washington State Building and Construction Trades Council objects to this requirement on several grounds. First, this is a unilateral change in terms and conditions of employment that was not bargained or negotiated with the bargaining representatives. The Washington State Building and Construction Trades Council demands that you immediately discontinue this practice. If you want to enforce such a requirement in the future, then you must first contact the bargaining representative party to your collective bargaining agreement to negotiate the parameters of any such condition of employment.

Second, any such requirement is void as a matter of public policy. Employers may not protect themselves from liability suffered by employees as a result of working for the employer by requiring a waiver of liability. Your company made the decision to continue operations despite Governor Inslee's "Stay Home – Stay Healthy" order. As such, your company bears the risks associated with that decision and cannot attempt to avoid any liability through a waiver from its employees.

Union members have been instructed not to sign any liability waivers.

Sincerely,

Mark L. Riker

Mark L. Riker, Executive Secretary
Washington State Building and Construction Trades Council

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