

FILED  
SUPREME COURT  
STATE OF WASHINGTON  
12/18/2020 3:24 PM  
BY SUSAN L. CARLSON  
CLERK

NO. 99131-6

---

**SUPREME COURT OF THE STATE OF WASHINGTON**

---

HIRED HANDS, LLC, and KENNETH SMITH,

Petitioners,

v.

DEPARTMENT OF LABOR AND INDUSTRIES OF THE STATE OF  
WASHINGTON,

Respondent.

---

**ANSWER TO PETITION FOR REVIEW**

---

ROBERT W. FERGUSON  
Attorney General

WILLIAM F. HENRY  
Assistant Attorney General  
WSBA No. 45148  
Office Id. No. 24163  
800 Fifth Ave., Suite 2000  
Seattle, WA 98104  
(206) 621-2225

**TABLE OF CONTENTS**

I. INTRODUCTION.....1

II. ISSUES.....1

1. Courts review laws regulating professional conduct that incidentally implicate speech under a rational basis standard. Does L&I’s certification requirement violate Hired Hands’ free speech rights when it regulates professional conduct, requires no speech that electricians do not already make when performing electrical work, and reasonably relates to Washington’s substantial interest in protecting the public?

2. The First Amendment does not preclude laws requiring factual, uncontroversial disclosures in commercial speech. A court will uphold such laws so long as they are not unjustified or unduly burdensome and reasonably relate to a legitimate state interest. The certification rule requires only factual, uncontroversial disclosures about an electrician’s professional qualifications. Does the certification rule violate the First Amendment?

III. STATEMENT OF THE CASE .....2

A. The Legislature Adopted Electrical Legislation to Protect the Public from Unsafe Electrical Installations and Level the Playing Field for Law-Abiding Contractors .....2

B. To Promote Safe Electrical Installations, L&I Adopted a Rule Requiring Electricians to Wear and Display a Wallet-Sized Certificate.....4

C. The Superior Court and the Court of Appeals Upheld the Rule, Rejecting Hired Hands’ Arguments That It Violated Free Speech or Due Process.....5

IV. ARGUMENT .....7

A. Under the First Amendment, Regulations of Professional Conduct Like the Certification Rule Are Subject to Rational Basis Review .....7

B.	There Is No Issue of Substantial Public Interest When the Certification Rule’s Requirements Rationally Relate to Washington’s Legitimate Interest in Ensuring Safe Electrical Work .....	13
V.	CONCLUSION .....	15

## TABLE OF AUTHORITIES

### Cases

<i>Am. Legion Post #149 v. Dep't of Health</i> , 164 Wn.2d 570, 192 P.3d 306 (2008).....	14
<i>Amunrud v. Bd. of Appeals</i> , 158 Wn.2d 208, 143 P.3d 571 (2006).....	14
<i>Cent. Hudson Gas &amp; Elec. Corp. v. Pub. Serv. Comm'n of New York</i> , 447 U.S. 557, 100 S. Ct. 2343, 65 L. Ed. 2d 341 (1980).....	6
<i>Goldfarb v. Va. State Bar</i> , 421 U.S. 773, 95 S. Ct. 2004, 44 L. Ed. 2d 572 (1975).....	14
<i>Hired Hands, LLC v. Dep't of Labor &amp; Indus.</i> , No. 53450-9-II, 2020 WL 5797899 (Wash. App. Sept. 29, 2020).....	1, 6, 10
<i>IMDb.com Inc. v. Becerra</i> , 962 F.3d 1111 (9th Cir. 2020) .....	13
<i>Nat'l Elec. Contractors Ass'n, Cascade Chapter v. Riveland</i> , 138 Wn.2d 9, 978 P.2d 481 (1999).....	passim
<i>Nat'l Inst. of Family &amp; Life Advocates v. Becerra</i> , ___ U.S. ___, 138 S. Ct. 2361, 201 L. Ed. 2d. 835 (2018).....	8
<i>Ohralik v. Ohio State Bar Ass'n</i> , 436 U.S. 447, 98 S. Ct. 1912, 56 L. Ed. 2d 444 (1978).....	8
<i>Planned Parenthood of Se. Pa. v. Casey</i> , 505 U.S. 833, 112 S. Ct. 2791, 120 L. Ed. 2d 674 (1992).....	8, 9
<i>Richardson v. Coker</i> , 188 Ga. 170, 3 S.E.2d 636 (1939) .....	8
<i>Riley v. Nat'l Fed'n of the Blind of N. Carolina, Inc.</i> , 487 U.S. 781, 108 S. Ct. 2667, 101 L. Ed. 2d 669 (1988).....	13

<i>Zauderer v. Office of Disciplinary Counsel of Sup. Ct. of Ohio</i> , 471 U.S. 626, 105 S. Ct. 2265, 85 L. Ed. 2d 652 (1985).....	7
--	---

**Statutes**

Haw. Rev. Stat. § 444-9.5(c).....	9
Laws of 2009 ch. 36 § 1.....	3
N.J. Stat. Ann. § 34:8A-8.....	9
Or. Rev. Stat. § 455.415.....	9
RCW 19.28.010(1).....	4
RCW 19.28.161(1).....	3, 9, 10
RCW 19.28.161(2).....	3
RCW 19.28.161(3).....	3
RCW 19.28.191(1)(f).....	3
RCW 19.28.201(2).....	3
RCW 19.28.205 .....	3
RCW 19.28.271 .....	2
RCW 19.28.271(1).....	3
Tenn. Code Ann. § 63-1-109 .....	9

**Other Authorities**

Hearing on HB 1055 Before the H. Comm. on Commerce & Labor, 61st Leg., Reg. Sess. (Wash. 2009) (public hearing on Jan. 23, 2009) .....	2
--	---

Hearing on SHB 1055 Before the S. Comm. on Labor, Commerce &  
Consumer Protection, 61st Leg., Reg. Sess. (Wash. 2009)  
(public hearing on Mar. 17, 2009) ..... 2

**Regulations**

WAC 296-46B-940(3) ..... 5, 11

## I. INTRODUCTION

Washington has long regulated the electrical trade to ensure that only qualified individuals perform dangerous electrical installations. Invoking the First Amendment, Hired Hands seeks to invalidate a rule that prevents electrical contractors from evading these laws. But contrary to the company's arguments, states may regulate professional conduct, even when that conduct involves speech.

In an unpublished decision, the Court of Appeals held that the Department of Labor & Industries' (L&I) requirement for electricians to display their certifications of competency when performing electrical work is a regulation of professional conduct subject to rational basis review. *Hired Hands, LLC v. Dep't of Labor & Indus.*, No. 53450-9-II, 2020 WL 5797899 (Wash. App. Sept. 29, 2020). The court's analysis of L&I's certification requirement comports with United States Supreme Court precedent and raises no issue of substantial public interest. Because the rule rationally relates to Washington's legitimate interest in ensuring safe electrical installations, there is no constitutional violation. This Court should deny review.

## II. ISSUES

1. Courts review laws regulating professional conduct that incidentally implicate speech under a rational basis standard. Does L&I's certification requirement violate Hired Hands' free speech

rights when it regulates professional conduct, requires no speech that electricians do not already make when performing electrical work, and reasonably relates to Washington's substantial interest in protecting the public?

2. The First Amendment does not preclude laws requiring factual, uncontroversial disclosures in commercial speech. A court will uphold such laws so long as they are not unjustified or unduly burdensome and reasonably relate to a legitimate state interest. The certification rule requires only factual, uncontroversial disclosures about an electrician's professional qualifications. Does the certification rule violate the First Amendment?

### III. STATEMENT OF THE CASE

#### A. **The Legislature Adopted Electrical Legislation to Protect the Public from Unsafe Electrical Installations and Level the Playing Field for Law-Abiding Contractors**

In 2009, the Legislature amended RCW 19.28.271 to allow L&I to require electrical workers to wear certificates of competency while working. The Legislature heard testimony from constituents about contractors supporting the underground economy by using uncertified workers to perform electrical work.<sup>1</sup> A journey-level electrician explained

---

<sup>1</sup> See An Act Relating to Requiring Workers to Have Licenses, Certificates, or Permits in Their Possession When Performing Work in Certain Construction Trades: Hearing on HB 1055 Before the H. Comm. on Commerce & Labor, 61st Leg., Reg. Sess. (Wash. 2009) (public hearing on Jan. 23, 2009), *available at* <https://www.tvw.org/watch/?eventID=2009011134>, beginning at 36:30;

*See also* Hearing on Substitute HB 1055 Before the S. Comm. on Labor, Commerce & Consumer Protection, 61st Leg., Reg. Sess. (Wash. 2009) (public hearing on Mar. 17, 2009), *available at* <https://www.tvw.org/watch/?eventID=2009031224>, beginning at 11:40.



the “reality” that these contractors continuously modify their practices to avoid complying with the electrical laws.<sup>2</sup>

RCW 19.28.271(1) permits L&I to “establish by rule a requirement that the individual . . . wear and visibly display his or her certificate or permit.” The law is part of broader licensing requirements. To obtain a journey-level certificate, a worker must take and pass an examination that tests the worker’s knowledge of “technical information and practical procedures,” as well as the applicable electrical codes. RCW 19.28.201(2). A journey-level worker must train for at least 8,000 hours in the electrical trade, RCW 19.28.191(1)(f), and complete substantial in-class education requirements. RCW 19.28.205. To work on a jobsite, an electrician must be licensed, RCW 19.28.161(1), and trainees and apprentices must be supervised. RCW 19.28.161(2), (3).

The Legislature explained that the certification requirement would help prevent dishonest contractors from using uncertified workers to perform electrical work, “level the playing field for honest contractors,” and “protect workers and consumers.” Laws of 2009 ch. 36 § 1. The certification requirement, like all electrical laws, ensures that electrical

---

<sup>2</sup> See Hearing on Substitute HB 1055 Before S. Comm. on Labor, Commerce & Consumer Protection (public hearing March 17, 2009), *available at* <https://www.tvw.org/watch/?eventID=2009031224>, beginning at 14:26.

installations conform “with approved methods of construction for safety to life and property.” RCW 19.28.010(1).

**B. To Promote Safe Electrical Installations, L&I Adopted a Rule Requiring Electricians to Wear and Display a Wallet-Sized Certificate**

In 2013, following a moratorium on rulemaking, L&I adopted a rule requiring electricians to wear their certificates when working. It explained that this requirement would “enable consumers to better identify their electrical workers’ credentialing” and “to confirm that the worker is qualified to perform a safe electrical installation.” AR 6-7. The Department explained that “stakeholders in the electrical industry have long requested that L&I do more to combat the underground economy and ensure safer electrical installations.” AR 392-93.

The Washington State Labor Council, the Certified Electrical Workers of Washington, the National Electrical Contractors Association, the Technical Advisory Committee, and the Electrical Board supported the new regulation. AR 1, 6, 393.

The Department adopted the following rule:

To work in the electrical construction trade, an individual must possess, wear, and visibly display on the front of the upper body, a current valid [certificate of competency or training certificate].

The certificate may be worn inside the outer layer of clothing when outer protective clothing (e.g., rain gear

when outside in the rain, arc flash, welding gear, etc.) is required. The certificate must be worn inside the protective clothing so that when the protective clothing is removed, the certificate is visible. A cold weather jacket or similar apparel is not protective clothing.

The certificate may be worn inside the outer layer of clothing when working in an attic or crawl space or when operating equipment (e.g., drill motor, conduit threading machine, etc.) where wearing the certificate may pose an unsafe condition for the individual.

The certificate must be immediately available for examination at all times.

WAC 296-46B-940(3).

The certification card is made of durable plastic and is the size of a driver's license. CP 124-25. It lists the electrician's name and certification number, and states what type of work the electrician is qualified to perform. CP 124-25. The card is color-coded to show if the worker may work without supervision. CP 125-26. It has a small state seal. CP 125. And it states that L&I has issued the certificate. CP 125.

**C. The Superior Court and the Court of Appeals Upheld the Rule, Rejecting Hired Hands' Arguments That It Violated Free Speech or Due Process**

Hired Hands challenged the certification requirement and the enabling statute on constitutional grounds, asserting free speech and substantive due process violations. The company also contended that the rule was unconstitutionally vague. The superior court rejected these

arguments and upheld the rule. Hired Hands moved for direct review by this Court, which transferred the case to the Court of Appeals.

The Court of Appeals affirmed the superior court, holding that the certification requirement was a regulation of professional conduct that only incidentally involved speech. *Hired Hands*, 2020 WL 5797899 at \*2. The court explained that the rule was part of a broader regulatory scheme to ensure that only qualified individuals perform electrical work. *Id.* The rule’s effects on speech were incidental when Washington law already required electricians to obtain a certificate of competency, and the requirement to wear and display the certificate “merely verifies that the electrician is compliant with the law, or, as the case may be, that the worker is not compliant with the law.” *Id.* The court explained that under United States Supreme Court precedent, such regulations of professional conduct are subject to rational basis review. *Id.* at \*3. Because the certification requirement is rationally related to Washington’s legitimate interests in preventing consumer deception and unsafe electrical work, the court upheld the rule against Hired Hands’ free speech claim.<sup>3</sup> *Id.* It

---

<sup>3</sup> Having identified the certification rule as a regulation of professional conduct subject to rational basis review, the court did not address L&I’s alternative argument that the rule regulates only commercial disclosures. *Hired Hands*, 2020 WL 5797899 at \*3 n.2. L&I does not abandon this argument. Because the certification rule relates solely to an electrician’s economic interest in performing electrical work, the rule is not subject to strict scrutiny. *See Cent. Hudson Gas & Elec. Corp. v. Pub. Serv. Comm’n of New York*, 447 U.S. 557, 561-62, 100 S. Ct. 2343, 65 L. Ed. 2d 341 (1980). Instead, because it requires only commercial disclosures of factual, uncontroversial information and is not

likewise found that the certification requirement did not violate the company's right to personal appearance and was not unconstitutionally vague. *Id.* 4-6.

Hired Hands petitions for review.

#### IV. ARGUMENT

The Court of Appeals' straightforward analysis raises no significant constitutional question or issue of substantial public interest. Under United States Supreme Court precedent, regulations of professional conduct that incidentally involve speech are subject to rational basis review. The Court of Appeals' application of this principle to a routine regulation of the electrical trade does not conflict with any Supreme Court decision. Nor does the case involve unsettled questions of constitutional law meriting review. Because the certification rule does not violate the First Amendment or any other constitutional provision, this Court should deny review.

**A. Under the First Amendment, Regulations of Professional Conduct Like the Certification Rule Are Subject to Rational Basis Review**

The United States Supreme Court has long recognized the broad authority of states to regulate professional conduct despite its effects on

---

unjustified or unduly burdensome, for this reason as well, the rule does not violate the First Amendment. *See Zauderer v. Office of Disciplinary Counsel of Supreme Court of Ohio*, 471 U.S. 626, 651, 105 S. Ct. 2265, 85 L. Ed. 2d 652 (1985).

speech. “States may regulate professional conduct, even though that conduct incidentally involves speech.” *Nat’l Inst. of Family & Life Advocates v. Becerra*, \_\_\_ U.S. \_\_\_, 138 S. Ct. 2361, 2372, 201 L. Ed. 2d. 835 (2018) (“*NIFLA*”). “[T]he State does not lose its power to regulate commercial activity deemed harmful to the public whenever speech is a component of that activity.” *Ohralik v. Ohio State Bar Ass’n*, 436 U.S. 447, 455-56, 98 S. Ct. 1912, 56 L. Ed. 2d 444 (1978). Thus, the Court has upheld a law requiring physicians to communicate specific, state-mandated information to their patients before performing an abortion. *Planned Parenthood of Se. Pa. v. Casey*, 505 U.S. 833, 884, 112 S. Ct. 2791, 120 L. Ed. 2d 674 (1992). The Court explained that this law regulated speech only “as part of the practice of medicine, subject to reasonable licensing and regulation by the State.” *Id.*

As the Court of Appeals properly determined, the certification rule is also a regulation of professional conduct. Like the practice of medicine, the electrical trade is subject to reasonable licensing and regulation. *See Richardson v. Coker*, 188 Ga. 170, 174, 3 S.E.2d 636 (1939) (explaining that “the nature of electricity” justifies regulation of the electrical industry); *see also Nat’l Elec. Contractors Ass’n, Cascade Chapter v. Riveland*, 138 Wn.2d 9, 21-22, 978 P.2d 481 (1999). And like the disclosure requirement in *Casey*, the certification rule directly relates to

the practice of electrical work. 505 U.S. at 884. Only properly qualified individuals can legally perform electrical work in Washington. RCW 19.28.161(1). The certification rule allows consumers, contractors, and L&I to easily determine a worker's qualifications, helping ensure that only trained and licensed workers attempt dangerous installations.

As in *Casey*, the certification rule's effects on speech are incidental. While the regulation implicates speech by requiring certified electricians to disclose their credentials, it does not regulate speech for speech's sake. Instead, like many laws requiring proof of professional qualifications, the certification rule seeks to ensure that only trained, competent workers perform electrical work.<sup>4</sup> Because the rule's aim is to prevent unsafe installations by unqualified individuals, it is a regulation of professional conduct subject to rational basis review. *See Casey*, 505 U.S. at 884. The rule's effects on speech are incidental to its goal of ensuring quality work by licensed professionals.

In fact, the rule requires little expression beyond what is already required to perform electrical work. As the Court of Appeals explained, underlying *Hired Hands*' argument is the company's belief that the

---

<sup>4</sup> The certification legislation is not unique. Many laws require professionals to display their credentials while working. *See, e.g.*, Or. Rev. Stat. § 455.415 (electrical workers, plumbers, elevator technicians, solar heating installers); Haw. Rev. Stat. § 444-9.5(c) (electricians); Tenn. Code Ann. § 63-1-109 (healthcare practitioners); N.J. Stat. Ann. § 34:8A-8 (farm crew leaders).

certification rule forces electrical workers to express a message they would not otherwise make. *Hired Hands*, 2020 WL 5797899 at \*2. But Washington’s electrical laws require that all persons working in the electrical construction trade have obtained a certificate of competency issued by L&I. RCW 19.28.161(1). Thus, simply by performing electrical work, these individuals express that they have met L&I’s requirements to obtain a certificate—announcing to all observers that they are qualified to perform the work. The rule requiring that they display their certificates simply verifies statements the workers are already making (or catches them if they dissemble). As in *Casey*, the rule’s effects on speech are incidental.

The Court of Appeals approved no “diminution of First Amendment rights” in upholding the certification rule. *See* Pet. 4. Contrary to *Hired Hands*’ arguments, the United States Supreme Court has long recognized regulations of professional conduct as a category of laws excepted from strict scrutiny under the First Amendment. *Contra* Pet. 3, 8; *see NIFLA*, 138 S. Ct. at 2373 (“[U]nder our precedents, States may regulate professional conduct, even though that conduct incidentally involves speech.”). This exception is not limited to an “informed consent surgery doctrine,” as *Hired Hands* suggests. Pet. 3, 5. Instead, informed consent laws are just one “example” of such regulations. *NIFLA*, 138 S.



Ct. at 2373. The Court of Appeals broke no new ground in determining the certification rule was a regulation of professional conduct subject to rational basis review.

Nor did the court reject “four-square binding precedent” in reaching its decision. Pet. 2. Hired Hands argues that the United States Supreme Court’s decision in *NIFLA* controls, but as the Court of Appeals explained, the company’s reliance on this case is misplaced. There, the Court invalidated a California law requiring anti-abortion medical clinics to provide a government-disseminated notice about the availability of “free or low-cost” abortions. *NIFLA*, 138 S. Ct. at 2369. In finding *Casey* inapplicable, the Court explained that the California law did not regulate professional conduct. *NIFLA*, 138 S. Ct. at 2373-74. It noted that the required disclosures were “not tied to” any particular medical procedure, and that the clinics must make the disclosures “regardless of whether a medical procedure is ever sought, offered, or performed.” *Id.* at 2373. Under these circumstances, the Court found that the law regulated “speech as speech.” *Id.* at 2374.

By contrast, the certification rule requires electrical workers to wear their certificates only when “work[ing] in the electrical construction trade”—tying the requirement to the practice of that trade. WAC 296-46B-940(3). Unlike the situation in *NIFLA*, the disclosure requirement does not

apply “regardless of whether [electrical work] is ever sought, offered, or performed.” *See* 138 S. Ct. at 2373. Because the rule’s requirements directly relate to the practice of electrical work, it is a regulation of professional conduct that only incidentally involves speech.

Hired Hands misreads *NIFLA* in arguing the Court of Appeals ignored “obvious factual analogues” to the certification rule. Pet. 3. The company notes that the *NIFLA* Court also struck down a second law requiring unlicensed pregnancy centers to provide notice that they were not licensed medical facilities. Pet. 2 (citing *NIFLA*, 138 S. Ct. at 2376). But this portion of the Court’s opinion did not involve the exception for regulations of professional conduct—hardly surprising given that the unlicensed pregnancy centers maintained no licensed medical providers on staff and were not licensed by the state. *NIFLA*, 138 S. Ct. at 2369-70, 2376-78. Instead, the Court assumed without deciding that the notice requirement was a regulation of commercial speech and that a lesser level of scrutiny applied. *NIFLA*, 138 S. Ct. at 2376-78. That the Court ultimately found the notice requirement unduly burdensome says nothing about whether L&I’s certification rule is a regulation of professional conduct.

Hired Hands’ remaining arguments about the proper level of scrutiny are also inapposite. It argues the Court of Appeals should have

followed the Ninth Circuit’s decision in *IMDb.com v. Becerra*, but that case involved a restriction on noncommercial speech, not a regulation of professional conduct. Pet. 6-7 (citing *IMDb.com Inc. v. Becerra*, 962 F.3d 1111 (9th Cir. 2020)). Hired Hands asserts that all laws compelling speech require strict scrutiny. Pet. 7-8 (citing *Riley v. Nat’l Fed’n of the Blind of N. Carolina, Inc.*, 487 U.S. 781, 108 S. Ct. 2667, 101 L. Ed. 2d 669 (1988)). But *Riley* also did not involve a regulation of professional conduct and, in any case, the Court applied strict scrutiny because the law’s disclosure requirements were “inextricably intertwined” with solicitation of charitable contributions—“fully protected speech” under the First Amendment. 487 U.S. at 796. Hired Hands identifies no fully protected speech warranting strict scrutiny here. Nor does the company reconcile its argument with the holding of *Casey*, where the Court upheld a compelled disclosure as a reasonable regulation of the medical profession. As the Court of Appeals correctly determined, rational basis review applies.

**B. There Is No Issue of Substantial Public Interest When the Certification Rule’s Requirements Rationally Relate to Washington’s Legitimate Interest in Ensuring Safe Electrical Work**

Washington’s regulation of the electrical trade implicates no issue of substantial public importance when the certification rule plainly relates

to a legitimate state interest. States have “broad power to establish standards for licensing practitioners and regulating the practice of professions.” *Goldfarb v. Va. State Bar*, 421 U.S. 773, 792, 95 S. Ct. 2004, 44 L. Ed. 2d 572 (1975). Under rational basis review, a law is constitutional if it rationally relates to a legitimate state interest. *Amunrud v. Bd. of Appeals*, 158 Wn.2d 208, 222, 143 P.3d 571 (2006). Electrical work is “inherently dangerous,” implicating the “public interest in health and safety.” *Nat’l Elec. Contractors*, 138 Wn.2d at 21-22. Protecting the health and welfare of workers and the public is a legitimate state interest. *See Am. Legion Post #149 v. Dep’t of Health*, 164 Wn.2d 570, 604, 192 P.3d 306 (2008).

The certification rule rationally relates to these important state concerns. The rule works hand in hand with other electrical laws to protect the public, providing “assurances that individuals performing ... electrical work are trained and competent.” *Nat’l Elec. Contractors*, 138 Wn.2d at 21. As L&I explained during rulemaking, by requiring all certified electrical workers to wear and display their certificates, it becomes more likely that L&I, consumers, and general contractors will discover uncertified workers performing electrical work. AR 393. This in turn discourages those workers—and the dishonest contractors who employ them—from attempting dangerous electrical installations, limiting the

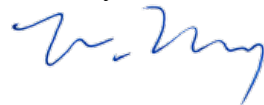
potential for property damage, injury, and death. *See* AR 393. In this way, the certification rule rationally advances the public interest in health and safety. Because the certification rule easily passes constitutional muster, this Court should deny review.

## V. CONCLUSION

Hired Hands raises no issue warranting review. As a regulation of professional conduct that only incidentally involves speech, L&I's certification rule does not violate the First Amendment. This Court should deny review.

RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of December, 2020.

ROBERT W. FERGUSON  
Attorney General



WILLIAM F. HENRY  
Assistant Attorney General  
WSBA No. 45148  
Office Id. No. 24163  
800 Fifth Ave., Suite 2000  
Seattle, WA 98104  
(206) 621-2225

**WASHINGTON ST. ATTORNEY GENERAL - LABOR & INDUSTRIES DIVISION - SEATTLE**

**December 18, 2020 - 3:24 PM**

**Transmittal Information**

**Filed with Court:** Supreme Court  
**Appellate Court Case Number:** 99131-6  
**Appellate Court Case Title:** Hired Hands, LLC, et al. v. WA State Department of Labor and Industries  
**Superior Court Case Number:** 16-2-01850-2

**The following documents have been uploaded:**

- 991316\_Answer\_Reply\_20201218152311SC302652\_7554.pdf  
This File Contains:  
Answer/Reply - Answer to Petition for Review  
*The Original File Name was 201218\_AnswertoPFR.pdf*
- 991316\_Cert\_of\_Service\_20201218152311SC302652\_3300.pdf  
This File Contains:  
Certificate of Service  
*The Original File Name was DOM\_DeptsAnswertoPFR.pdf*

**A copy of the uploaded files will be sent to:**

- Jackson@millikanlawfirm.com
- anastasia.sandstrom@atg.wa.gov
- cindy.gaddis@atg.wa.gov
- kassandra.hendricksen@atg.wa.gov
- kristen.harris@atg.wa.gov

**Comments:**

---

Sender Name: Kristen Harris - Email: kristenh1@atg.wa.gov

**Filing on Behalf of:** William Henry - Email: williamf.henry@atg.wa.gov (Alternate Email: )

Address:  
800 Fifth Avenue, Ste. 2000  
Seattle, WA, 98104  
Phone: (206) 464-7740

**Note: The Filing Id is 20201218152311SC302652**