

SUPREME COURT OF WASHINGTON

Cerrillo v. Esparza

142 P.3d 155 (Wash. 2006) · No. No. 77283-5 · Decided August 31, 2006

SUMMARY

The Washington Supreme Court held that RCW 49.46.130(2)(g)(ii) unambiguously exempts individuals engaged in specified activities involving agricultural commodities from the Washington Minimum Wage Act's overtime requirement. The court concluded that the truck drivers were exempt even though they were employed by a trucking company rather than directly by farmers, and that the Court of Appeals improperly deferred to the Department of Labor and Industries' interpretation. The court reversed the partial summary judgment for unpaid overtime wages and remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of Washington
WRITING FOR THE COURT	Fairhurst, J.; Alexander, C.J.; C. Johnson, J.; Madsen, J.; Sanders, J.; Bridge, J.; Chambers, J.; Owens, J.; J.M. Johnson, J.
JURISDICTION	Washington
DECIDED	August 31, 2006
DOCKET	No. 77283-5
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Petitioners sought review of a Court of Appeals decision affirming partial summary judgment for truck drivers seeking unpaid overtime wages under the Washington Minimum Wage Act.
STANDARD OF REVIEW	Statutory interpretation and summary judgment orders are reviewed de novo. Summary judgment is proper when there is no genuine issue of material fact and the moving party is entitled to judgment as a matter of law.
PRECEDENTIAL VALUE	Published Washington Supreme Court opinion; precedential.
PARTIES	Cipriano Esparza, Jane Doe Esparza, a marital community, Esparza Truck, Inc. v. Jesse Cerrillo, Guadalupe Solis, Angel Diaz, Alfredo Beltran, Jose Saucedo

TOPICS

wage and hour

employment law

statutory interpretation

administrative law

appellate procedure

PRACTICE AREAS

employment law

wage and hour

administrative law

statutory interpretation

appellate procedure

QUESTIONS PRESENTED

1. Whether RCW 49.46.130(2)(g)(ii) unambiguously exempts individuals who deliver agricultural commodities to storage, market, or a carrier for transportation to market from Washington's overtime-wage requirement.
2. Whether the Court of Appeals improperly deferred to the Department of Labor and Industries' informal interpretation of RCW 49.46.130(2)(g)(ii) without first determining that the statute was ambiguous.

HOLDINGS

1. RCW 49.46.130(2)(g)(ii) is unambiguous, and its plain language exempts the truckers from Washington's overtime-wage requirement because they delivered agricultural commodities to storage, market, or a carrier for transportation to market.
2. It was improper for the Court of Appeals to defer to the Department of Labor and Industries' informal interpretation or employ other statutory-construction tools before determining that the statute was ambiguous.

KEY QUOTATIONS

“Thus, when a statute is not ambiguous, only a plain language analysis of a statute is appropriate.” (¶ 8)

“Where statutory language is plain and unambiguous, courts will not construe the statute but will glean the legislative intent from the words of the statute itself, regardless of contrary interpretation by an administrative agency.” (¶ 17)

“We hold that RCW 49.46.130(2)(g)(ii) is not ambiguous and that the plain language of the statute exempts the truckers from the overtime wage requirement.” (¶ 21)

FACTUAL BACKGROUND

Esparza Truck, Inc. contracted to haul potatoes, apples, and asparagus from locations in the Columbia Basin to food producers that packaged and shipped the commodities. From 1998 through 2001, the respondent truckers transported those agricultural commodities, worked more than 40 hours per week, and were not paid overtime. Esparza admitted that it did not grow the commodities.

PROCEDURAL HISTORY

The truck drivers sued Esparza for unpaid overtime wages and breach of contract. The trial court granted partial summary judgment to the truck drivers and awarded double damages. The Court of Appeals affirmed, with one judge dissenting. The Washington Supreme Court granted review, reversed the grant of partial summary judgment, and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remanded for further proceedings consistent with the holding that the truckers were exempt from the overtime-wage requirement under RCW 49.46.130(2)(g)(ii).

CASES CITED

- Agrilink Foods, Inc. v. Dep't of Revenue, 153 Wash. 2d 392, 396, 103 P.3d 1226 (2005)
- Drinkwitz v. Alliant Techsystems, Inc., 140 Wash. 2d 291, 295, 301, 996 P.2d 582 (2000)
- Marquis v. City of Spokane, 130 Wash. 2d 97, 104-05, 922 P.2d 43 (1996)
- Kilian v. Atkinson, 147 Wash. 2d 16, 20-21, 27, 50 P.3d 638 (2002)
- State v. Keller, 143 Wash. 2d 267, 276, 19 P.3d 1030 (2001)
- State v. Hahn, 83 Wash. App. 825, 831, 924 P.2d 392 (1996)
- Wash. State Coalition for the Homeless v. Dep't of Soc. & Health Servs., 133 Wash. 2d 894, 904, 949 P.2d 1291 (1997)
- Associated Gen. Contractors v. King County, 124 Wash. 2d 855, 865, 881 P.2d 996 (1994)
- Stahl v. Delicor of Puget Sound, Inc., 148 Wash. 2d 876, 879, 884-85, 64 P.3d 10 (2003)
- Concerned Ratepayers Ass'n v. Pub. Util. Dist. No. 1, 138 Wash. 2d 950, 959-60, 983 P.2d 635 (1999)
- State v. Bolar, 129 Wash. 2d 361, 366, 917 P.2d 125 (1996)
- Dep't of Ecology v. Campbell & Gwinn, L.L.C., 146 Wash. 2d 1, 11-12, 43 P.3d 4 (2002)
- Bravo v. Dolsen Cos., 125 Wash. 2d 745, 752, 888 P.2d 147 (1995)
- Wash. Fed'n of State Employees v. State Pers. Bd., 54 Wash. App. 305, 309, 773 P.2d 421 (1989)
- Knecht v. City of Redwood City, 683 F. Supp. 1307, 1310 (N.D. Cal. 1987)