
SUBSTITUTE HOUSE BILL 2359

State of Washington**53rd Legislature****1994 Regular Session**

By House Committee on Human Services (originally sponsored by Representatives Cooke, Patterson, Mielke, Basich, Ballard, Linville, L. Thomas, Long, Horn, Sommers, Sehlin, Dorn, Brumsickle, Foreman, Wineberry, Brough, Talcott, Van Luven, Sheahan, Fuhrman, Edmondson, B. Thomas, Caver, Wood, Forner, Schoesler, Silver, Padden, Dyer, Dunshee, Backlund, Chandler, Quall, Jones, Shin, Eide, Tate and McMorris)

Read first time 02/08/94.

1 AN ACT Relating to job placement for recipients and noncaretaker
2 parents of recipients of aid to families with dependent children, food
3 stamp, or unemployment insurance; amending RCW 50.63.010, 50.63.020,
4 50.63.030, 50.63.040, 50.63.060, and 50.63.090; adding a new chapter to
5 Title 74 RCW; creating a new section; and recodifying RCW 50.63.010,
6 50.63.020, 50.63.030, 50.63.040, 50.63.050, 50.63.060, 50.63.070,
7 50.63.080, and 50.63.090.

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

9 **Sec. 1.** RCW 50.63.010 and 1986 c 172 s 1 are each amended to read
10 as follows:

11 The legislature finds that the restructuring in the Washington
12 economy has created rising public assistance caseloads and declining
13 real wages for Washington workers. There is a profound need to develop
14 partnership programs between the private and public sectors to create
15 new jobs with adequate salaries and promotional opportunities for
16 chronically unemployed and underemployed citizens of the state. Most
17 public assistance recipients want to become financially independent
18 through paid employment. A voluntary program which utilizes public
19 wage subsidies and employer matching salaries has provided a beneficial

1 financial incentive allowing public assistance recipients transition to
2 permanent full-time employment.

3 **Sec. 2.** RCW 50.63.020 and 1986 c 172 s 2 are each amended to read
4 as follows:

5 The employment partnership program is created to develop a series
6 of geographically distributed model projects to provide permanent full-
7 time employment for low-income and unemployed persons. The program
8 shall be ~~((a cooperative effort between the employment security
9 department and))~~ administered by the department of social and health
10 services. The department shall contract for the program through public
11 or private nonprofit organizations. The goals of the program are as
12 follows:

13 (1) To reduce inefficiencies in administration and provide model
14 coordination of agencies with responsibilities for employment and human
15 service delivery to unemployed persons;

16 (2) To create voluntary financial incentives to simultaneously
17 reduce unemployment and welfare caseloads; ~~((and))~~

18 (3) To provide other state and federal support services to the
19 client population to enable economic independence; and

20 (4) To improve partnerships between the public and private sectors
21 designed to move recipients of public assistance into productive
22 employment.

23 **Sec. 3.** RCW 50.63.030 and 1986 c 172 s 3 are each amended to read
24 as follows:

25 The ~~((commissioner of employment security and the))~~ secretary of
26 the department of social and health services shall establish pilot
27 projects that enable grants to be used as a wage subsidy. The
28 department of social and health services ~~((is designated as the lead
29 agency for the purpose of complying))~~ shall comply with applicable
30 federal statutes and regulations ~~((The department)),~~ and shall seek
31 any waivers from the federal government necessary to operate the
32 employment partnership program. The projects shall be available on an
33 individual case-by-case basis or subject to the limitations outlined in
34 RCW 50.63.050 (as recodified by this act) for the start-up or reopening
35 of a plant under worker ownership. The projects shall be subject to
36 the following criteria:

1 (1) It shall be a voluntary program and no person may have any
2 sanction applied for failure to participate.

3 (2) Employment positions established by this chapter shall not be
4 created as the result of, nor result in, any of the following:

5 (a) Displacement of current employees, including overtime currently
6 worked by these employees;

7 (b) The filling of positions that would otherwise be promotional
8 opportunities for current employees;

9 (c) The filling of a position, before compliance with applicable
10 personnel procedures or provisions of collective bargaining agreements;

11 (d) The filling of a position created by termination, layoff, or
12 reduction in workforce;

13 (e) The filling of a work assignment customarily performed by a
14 worker in a job classification within a recognized collective
15 bargaining unit in that specific work site, or the filling of a work
16 assignment in any bargaining unit in which funded positions are vacant
17 or in which regular employees are on layoff;

18 (f) A strike, lockout, or other bona fide labor dispute, or
19 violation of any existing collective bargaining agreement between
20 employees and employers;

21 (g) Decertification of any collective bargaining unit.

22 (3) Wages shall be paid at the usual and customary rate of
23 comparable jobs and may include a training wage if permitted by
24 applicable federal statutes and regulations;

25 (4) A recoupment process (~~((shall))~~) to recover state supplemented
26 wages from an employer when a job does not last six months following
27 the subsidization period for reasons other than the employee
28 voluntarily quitting or being fired for good cause as determined by the
29 ((commissioner of employment security)) local employment partnership
30 council under rules prescribed by the ((commissioner pursuant to
31 chapter 50.20 RCW)) secretary;

32 (5) Incentives for employers to retain recipients of public
33 assistance beyond six months, or assist the recipient to secure
34 permanent employment in another setting;

35 (6) Job placements shall have promotional opportunities or
36 reasonable opportunities for wage increases;

37 ~~((+6))~~ (7) Other necessary support services such as training, day
38 care, medical insurance, and transportation shall be provided to the
39 extent possible;

1 ((+7)) (8) Employers shall provide monetary matching funds of at
2 least fifty percent of total wages;

3 ((+8)) (9) Wages paid to participants shall be a minimum of five
4 dollars an hour; and

5 ((+9)) (10) The projects shall target the hardest-to-employ
6 populations including those at risk of long-term dependence on welfare,
7 to the extent that necessary support services are available.

8 **Sec. 4.** RCW 50.63.040 and 1986 c 172 s 4 are each amended to read
9 as follows:

10 An employer, before becoming eligible to fill a position under the
11 employment partnership program, shall certify to the (~~department of~~
12 ~~employment security~~) local employment partnership council that the
13 employment, offer of employment, or work activity complies with the
14 following conditions:

15 (1) The conditions of work are reasonable and not in violation of
16 applicable federal, state, or local safety and health standards;

17 (2) The assignments are not in any way related to political,
18 electoral, or partisan activities;

19 (3) The employer shall provide industrial insurance coverage as
20 required by Title 51 RCW;

21 (4) The employer shall provide unemployment compensation coverage
22 as required by Title 50 RCW;

23 (5) The employment partnership program participants hired following
24 the completion of the program shall be provided benefits equal to those
25 provided to other employees including social security coverage, sick
26 leave, the opportunity to join a collective bargaining unit, and
27 medical benefits.

28 NEW SECTION. **Sec. 5.** An employment partnership council shall be
29 established in each pilot project area to assist the department of
30 social and health services in the administration of this chapter and to
31 allow local flexibility in dealing with the particular needs of each
32 pilot project area. Each council shall be primarily responsible for
33 recruiting and encouraging participation of employment providers in the
34 project site. Each council shall be composed of nine members who shall
35 be appointed by the county commissioners of the county in which the
36 pilot project operates. Councilmembers shall be residents of or
37 employers in the pilot project area in which they are appointed and

1 shall serve three-year terms. The council shall have two members who
2 are current or former recipients of the aid to families with dependent
3 children program or food stamp program, two members who represent
4 labor, and five members who represent the local business community. In
5 addition, one person representing the local community service office of
6 the department of social and health services, one person representing
7 a community action agency or other nonprofit service provider, and one
8 person from a local city or county government shall serve as nonvoting
9 members.

10 **Sec. 6.** RCW 50.63.060 and 1986 c 172 s 6 are each amended to read
11 as follows:

12 Participants shall be considered recipients of aid to families with
13 dependent children and remain eligible for medicaid benefits even if
14 the participant does not receive a residual grant. Work
15 supplementation participants shall be eligible for (1) the thirty-
16 dollar plus one-third of earned income exclusion from income, (2) the
17 work related expense disregard, and (3) ~~((the))~~ any applicable child
18 care expense disregard deemed available to recipient of aid in
19 computing his or her grant under this chapter, unless prohibited by
20 federal law.

21 **Sec. 7.** RCW 50.63.090 and 1986 c 172 s 9 are each amended to read
22 as follows:

23 The department of social and health services shall seek any federal
24 funds available for implementation of this chapter, including, but not
25 limited to, funds available under Title IV of the federal social
26 security act (42 U.S.C. Sec. 601 et seq.) for the ~~((work incentive
27 demonstration program, and the employment search program))~~ job
28 opportunities and basic skills program.

29 NEW SECTION. **Sec. 8.** RCW 50.63.010, 50.63.020, 50.63.030,
30 50.63.040, 50.63.050, 50.63.060, 50.63.070, 50.63.080, and 50.63.090
31 are each recodified as a new chapter in Title 74 RCW.

32 NEW SECTION. **Sec. 9.** The department of social and health services
33 shall report to the appropriate committees of the house of
34 representatives and senate on the implementation of this employment

1 partnership program for recipients of aid to families with dependent
2 children by October 1, 1995.

3 NEW SECTION. **Sec. 10.** Section 5 of this act shall be codified in
4 the new chapter created by section 8 of this act.

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