

SENATE BILL REPORT

SB 6656

As Reported By Senate Committee On:
Labor, Commerce & Financial Institutions, February 5, 2002

Title: An act relating to unemployment compensation payable to individuals who took family and medical leave.

Brief Description: Modifying unemployment compensation payable to individuals who took family and medical leave.

Sponsors: Senators Fairley, Kohl-Welles, Keiser and Thibaudeau.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 1/31/02, 2/5/02 [DP, DNP].

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Majority Report: Do pass.

Signed by Senators Prentice, Chair; Keiser, Vice Chair; Fairley, Franklin, Gardner, Rasmussen, Regala and Winsley.

Minority Report: Do not pass.

Signed by Senators Hochstatter and Honeyford.

Staff: Joanne Conrad (786-7472)

Background: The federal Family and Medical Leave Act of 1993 (FMLA) provides for up to 12 weeks of unpaid, job-protected leave for eligible employees who have worked for at least one year for a covered employer. In addition, state law clarifies that workers may use FMLA leave for sickness or temporary disability related to pregnancy or childbirth.

However, in some cases, a person may utilize FMLA leave, and eventually become eligible for unemployment compensation, but experience a decrease in the amount and duration of his or her unemployment benefit. Unemployment compensation is determined, in part, by reference to "base years" of employment, and by looking back at calendar quarters worked.

Summary of Bill: At the request of an individual who utilizes FMLA leave in one or more quarters of a base year, the Employment Security Department must not use any calendar quarters in which the individual took the FMLA leave in calculating completed calendar quarters for purposes of benefit determination.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect on July 2, 2002.

Testimony For: Legitimate use of leave should not result in loss of benefits

Testimony Against: This bill has unspecified unintended consequences.

Testified: Senator Fairley, prime sponsor; Jeff Johnson, WA State Labor Council (pro); Clif Finch, AWB (con).