

**ESSB 5473** - H COMM AMD

By Committee on Labor & Workplace Standards

**ADOPTED 03/05/2020**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** (1) As a result of major demographic  
4 shifts, adults' obligations to provide unpaid care to elderly, frail,  
5 ill, or family members with a disability have sharply increased in  
6 the United States over the last two decades. In addition, the  
7 increasing unavailability of child care creates a problem for parents  
8 with young children. These situations appear to disproportionately  
9 affect women workers who are single parents. These trends often force  
10 employees to choose between providing care to a family member and  
11 keeping their job. Another factor for a parent leaving a job may be  
12 to relocate to be closer to a minor child. Additionally, workers are  
13 finding themselves in situations where the hours or responsibilities  
14 are being substantially increased without a commensurate increase in  
15 pay. Unemployment insurance was created to ease the burden of  
16 involuntary unemployment upon individual employees and the economy as  
17 a whole. Our current framework places unnecessary barriers to this  
18 insurance benefit in the way of workers, frequently low-wage  
19 employees, who must rely on caregiving or provide it themselves,  
20 sometimes forcing them to leave the workforce and leaving employers  
21 with a smaller labor pool. It is the intent of the legislature to  
22 ensure that Washington's unemployment insurance system remains  
23 responsive to the needs of employees with caregiving and other  
24 responsibilities and taking into account changes at the workplace.

25 (2) Several senate bills in the 2020 legislative session would  
26 have amended the unemployment insurance laws to provide that an  
27 individual is not disqualified from unemployment insurance benefits  
28 when:

29 (a) The separation was necessary because care for a child or a  
30 vulnerable adult in the claimant's care is inaccessible, so long as  
31 the claimant made reasonable efforts to preserve the employment  
32 status by requesting a leave of absence or changes in working

1 conditions or work schedule that would accommodate the caregiving  
2 inaccessibility, by having promptly notified the employer of the  
3 reason for the absence, and by having promptly requested reemployment  
4 when again able to assume employment;

5 (b) The employer, without a commensurate change in pay:

6 (i) Substantially increases the individual's job duties; or

7 (ii) Significantly changes the individual's working conditions;

8 and

9 (c) The individual left work to relocate outside the existing  
10 labor market because of the geographical location of or proximity to  
11 and the separation from a minor child.

12 (3) The legislature intends to have the employment security  
13 department study the impacts to Washington's unemployment insurance  
14 trust fund and the contribution rates of employers if the law was  
15 amended to allow unemployment insurance benefits for individuals who  
16 leave work voluntarily for the reasons described in subsection (2) of  
17 this section.

18 NEW SECTION. **Sec. 2.** (1) The employment security department  
19 must study the impacts to:

20 (a) Washington's unemployment insurance trust fund and the  
21 contribution rates of employers if the law was amended to allow  
22 unemployment insurance benefits for individuals who leave work  
23 voluntarily for the reasons described in section 1(2) of this act;  
24 and

25 (b) Washington's unemployment insurance trust fund if the law was  
26 amended to allow unemployment insurance benefits for individuals who  
27 leave work voluntarily for the reasons described in section 1(2) of  
28 this act, and the benefits were not charged to the employers'  
29 experience rating accounts.

30 (2) The employment security department may consider:

31 (a) The existing and prior Washington laws, rules, and case law  
32 governing the disqualification of individuals from receiving  
33 unemployment benefits for leaving work voluntarily without good  
34 cause;

35 (b) The laws and regulations of other states governing the  
36 disqualification of individuals from receiving unemployment benefits  
37 for leaving work voluntarily without good cause; and

38 (c) Any other information the employment security department  
39 deems relevant.

1 (3) By November 6, 2020, and in compliance with RCW 43.01.036,  
2 the employment security department must report to the governor and  
3 the appropriate committees of the legislature providing:

4 (a) The impacts described in subsection (1) of this section,  
5 broken down by each of the reasons described in section 1(2) of this  
6 act;

7 (b) Any recommendations for how the statutes and rules may be  
8 amended to address the circumstances described in section 1(2) of  
9 this act, as fully as practicable, while limiting adverse impacts to  
10 the unemployment trust fund and the contribution rates of employers.

11 (4) While the employment security department is conducting the  
12 study, the department must meet at least three times with a  
13 representative of the largest business association and a  
14 representative from an organization which provides low-cost  
15 representation or free advice and counsel to people regarding their  
16 unemployment benefits to discuss the information gathered by the  
17 department.

18 (5) This section expires December 31, 2020."

19 Correct the title.

EFFECT: Directs the study to include impacts to the unemployment insurance trust fund if employers were not charged for benefits from the potential new bases for voluntary quits.

Specifies that the report on impacts to the unemployment insurance trust fund and employer contribution rates include the separate impacts from each of the potential bases for allowing benefits.

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