**1073-S2.E AMS LCTA S2092.1 - NOT FOR FLOOR USE**

**E2SHB 1073** - S COMM AMD

By Committee on Labor, Commerce & Tribal Affairs

**OUT OF ORDER 04/07/2021**

Strike everything after the enacting clause and insert the following:

"NEW SECTION. **Sec.**  (1) The legislature finds that many Washington workers have suffered direct effects from the COVID-19 pandemic. Due to the unprecedented global shutdown in response to COVID-19, many Washington workers who have paid into the paid family and medical leave insurance program are unable to access their benefits through no fault of their own. Workers recovering from COVID-19 or caring for an individual who is severely ill or quarantining due to COVID-19 are unable to access their benefits.

(2) Therefore, the legislature intends to provide financial assistance to workers who are not otherwise eligible for paid family and medical leave due to COVID-19's impact on their ability to meet the hours worked threshold. The legislature intends to provide a pandemic leave assistance grant to provide an equivalent benefit to what the worker would otherwise be eligible to receive under the paid family and medical leave insurance program.

(3) The legislature intends to utilize federal funding from the America rescue plan act to provide financial assistance to COVID-19 impacted workers. The legislature does not intend for this worker assistance to affect the state's paid family and medical leave insurance account.

NEW SECTION. **Sec.**  A new section is added to chapter 50A.15 RCW to read as follows:

(1) Employees who do not meet the hours worked threshold for eligibility under RCW 50A.15.010 or 50A.30.020(1) in calendar year 2020 or the first calendar quarter of 2021, and are otherwise eligible under Title 50A RCW for a claim with an effective start date in 2021 through June 30, 2022, are eligible for a pandemic leave assistance grant as provided under this section if they meet any of the following hours thresholds:

(a) Worked 820 hours in employment during the first through fourth calendar quarters of 2019;

(b) Worked 820 hours in employment during the second through fourth calendar quarters of 2019 and first calendar quarter of 2020; or

(c) Worked 520 hours in employment during the first calendar quarter of 2020.

(2)(a) Subsection (1) of this section does not apply to an employee who does not meet the hours worked threshold for eligibility under RCW 50A.15.010 or 50A.30.020(1) because of an employment separation due to misconduct or a voluntary separation unrelated to the COVID-19 pandemic.

(b) An employee seeking eligibility under this section must attest, in a manner prescribed by the department, that their failure to meet the hours worked threshold for eligibility under RCW 50A.15.010 or 50A.30.020(1) is not due to the reasons specified in (a) of this subsection.

(3) The amount of the pandemic leave assistance grant to each eligible employee must be equal to the weekly benefit payment calculated in Title 50A RCW and any rules promulgated thereunder. In calculating the weekly benefit payment for nonsalaried employees eligible under subsection (1) of this section, the typical workweek hours are the quotient derived by dividing the sum of the employee's hours reported by the sum of the number of weeks for which the employee reported hours.

NEW SECTION. **Sec.**  The employment security department may adopt rules to implement this act."

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On page 1, line 2 of the title, after "program;" strike the remainder of the title and insert "adding a new section to chapter 50A.15 RCW; and creating new sections."

EFFECT: Modifies the intent section. Utilizes federal funding from the America rescue plan act to provide financial assistance to workers unable to access state paid family and medical leave benefits due to not meeting the hours worked threshold because of COVID-19. Retains the alternate eligibility periods to determine employee eligibility for the new grant, which is equal to the weekly benefit amount in the paid family and medical leave program. Removes provisions on small business grants, and the null and void and emergency clauses.