

FINAL BILL REPORT

E2SHB 1073

C 109 L 21
Synopsis as Enacted

Brief Description: Expanding coverage of the paid family and medical leave program.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Berry, Wicks, Fitzgibbon, Bateman, Tharinger, Simmons, Kloba, Ramel, Ortiz-Self, Goodman, Ryu, Bronoske, Hackney, Chopp, Riccelli, Stonier, Frame, Macri, Davis, Pollet, Bergquist and Harris-Talley).

House Committee on Labor & Workplace Standards

House Committee on Appropriations

Senate Committee on Labor, Commerce & Tribal Affairs

Senate Committee on Ways & Means

Background:

The Paid Family and Medical Leave (PFML) program was enacted to provide partial wage replacement to employees on leave for specified family and medical reasons. It is funded through premiums paid by employers and employees. The Employment Security Department (Department) administers the program.

Benefits.

Employees are eligible for benefits under the PFML program after working at least 820 hours in a qualifying period.

The weekly benefit amount (WBA) under the PFML program is calculated as follows. If the employee's average weekly wage is:

- equal to or less than one-half of the state average weekly wage, the WBA is equal to 90 percent of the employee's average weekly wage; or
- greater than one-half of the state average weekly wage, the WBA is the sum of: (1) 90 percent of one-half of the state average weekly wage; and (2) 50 percent of the difference of the employee's average weekly wage and one-half of the state average weekly wage.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

The WBA is prorated by the percentage of hours on leave compared to the number of hours provided as the typical workweek hours.

Small Business Grants.

Employers with 150 or fewer employees may be eligible for limited grants for wage-related costs or the costs of hiring a temporary worker due to an employee's PFML leave.

Summary:

Benefits.

Pandemic leave assistance employee grants are provided beginning August 1, 2021, for leave claims from 2021 through March 31, 2022. Grant eligibility is provided for employees that:

- do not meet the PFML eligibility threshold through hours worked in 2020 and the first quarter of 2021;
- met the eligibility threshold through hours worked in 2019 and the first quarter of 2020; and
- were not separated from employment due to misconduct or a voluntary separation unrelated to the COVID-19 pandemic.

The amount of the employee grant must be equal to the WBA calculated in the PFML program.

Small Business Grants.

Pandemic leave assistance employer grants are provided for employers with fewer than 150 employees for the following costs associated with an employee taking leave in receipt of a grant:

- \$3,000 for hiring a temporary worker to replace the employee on leave; or
- up to \$1,000 for significant wage-related costs related to the leave.

Other.

Pandemic leave assistance employer grants may not be funded from the Family and Medical Leave Insurance Account. Both the employer and the employee grants are only available until specific funding is exhausted.

An emergency clause and immediate effective date is provided. The pandemic leave assistance provisions expire June 30, 2023.

Votes on Final Passage:

House	56	40	
Senate	29	20	(Senate amended)
House	56	42	(House concurred)

Effective: April 21, 2021