

HOUSE BILL REPORT

HB 1107

As Passed House:

February 1, 2023

Title: An act relating to removing the terms "master" and "servant" from Titles 50 and 50A RCW.

Brief Description: Concerning removing the terms "master" and "servant" from Titles 50 and 50A.

Sponsors: Representatives Fosse, Reed, Berry, Ramel, Doglio, Simmons, Reeves, Kloba, Riccelli and Ormsby; by request of Employment Security Department.

Brief History:

Committee Activity:

Labor & Workplace Standards: 1/11/23, 1/20/23 [DP].

Floor Activity:

Passed House: 2/1/23, 97-0.

Brief Summary of Bill

- Modifies the definition of "employment" as it applies to unemployment insurance and the state paid family and medical leave program by replacing a reference to the "relationship of master and servant" with "any employment relationship."

HOUSE COMMITTEE ON LABOR & WORKPLACE STANDARDS

Majority Report: Do pass. Signed by 9 members: Representatives Berry, Chair; Fosse, Vice Chair; Robertson, Ranking Minority Member; Schmidt, Assistant Ranking Minority Member; Bronoske, Connors, Doglio, Ormsby and Ortiz-Self.

Staff: Devon Mann (786-7290) and Kelly Leonard (786-7147).

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.

Background:

The terms "master" and "servant" are used in the common law to describe a type of relationship, often between an employer and employee, in order to assess liability and other legal obligations. Generally, a "servant" is a person who preforms services at the direction and control of a "master."

In the statutes governing the unemployment insurance system and the state paid family and medical leave program, the term "employment" is defined as personal service, of whatever nature, unlimited by the relationship of master and servant as known to the common law or any other legal relationship, including service in interstate commerce, performed for wages, or under contract calling for the performance of personal service, written or oral, express or implied.

Summary of Bill:

The definition of "employment" in the context of unemployment insurance and the state paid family and medical leave program is modified by replacing "relationship of master and servant" with "any employment relationship." Specifically, "employment" means personal service, of whatever nature, unlimited by any employment relationship as known to the common law or any other legal relationship, including service in interstate commerce, performed for wages, or under any contract calling for the performance of personal services, written or oral, express or implied.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

(In support) The common law legal term "master and servant" has history rooted in early American slavery and racism. House Bill 1107 is a common sense "clean up" bill to remove these terms and make Washington law more inclusive and anti-racist. Terms rooted in racism can have real impacts on the people who work in the industries where these terms are prevalent. By removing these terms, these negative impacts will be reduced and a more equitable definition and understanding of work will be promoted.

(Opposed) None.

Persons Testifying: Representative Mary Fosse, prime sponsor; Sybill Hyppolite, Washington State Labor Council—American Federation of Labor and Congress of

Industrial Organizations; and Caitlyn Jekel, Employment Security Department .

Persons Signed In To Testify But Not Testifying: None.